

## PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 25 March 2015 at 10.00 a.m.

**Present:** Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jim Finn, Jonathan McColl, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

**Attending:** Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning & Building Standards Manager; Keith Bathgate, Team Leader (Development Management); Alan Williamson, Team Leader (Forward Planning); Bernard Darroch, Lead Planning Officer; John Stevenson, Section Head – Environmental Health; Karen O'Dell, Environmental Health Officer; Isabel Fellowes, Environmental Health Officer; Raymond Walsh, Network Services Co-ordinator; Nigel Ettles, Principal Solicitor and Craig Stewart, Committee Officer, Legal, Democratic and Regulatory Services.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Patrick McGlinchey and John Mooney.

**Councillor Lawrence O'Neill in the Chair**

### DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda at this point in the meeting.

### MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 25 February 2015 were submitted and approved as a correct record.

### WEST DUNBARTONSHIRE LOCAL DEVELOPMENT PLAN

A report was submitted by the Executive Director of Infrastructure and Regeneration advising of the receipt of the Local Development Plan Examination Report and seeking agreement to adopt the Plan.

After discussion and having heard the Planning and Building Standards Manager and the Team Leader – Forward Planning in further explanation and in answer to Members' questions, the Committee agreed:-

- (1) to adopt the West Dunbartonshire Local Development Plan incorporating all of the modifications recommended in the Examination Report as detailed in Appendix 1 to the report, with the exception of Recommendation 17 – Duntiglennan Fields, on the grounds that the recommended modification would be inconsistent with the Strategic Development Plan;
- (2) that officers write to the Scottish Ministers advising them of the reasons why the Committee has taken the position with regard to the recommended modification concerning Duntiglennan Fields; and
- (3) otherwise to note the terms of the discussion that had taken place at the meeting.

## **PLANNING APPLICATIONS**

Reports were submitted by the Executive Director of Infrastructure and Regeneration in respect of the following planning applications.

### **New Applications:-**

- (a) **DC14/210 – Erection of a single wind turbine (max hub height 30m and max blade tip height 43m) and associated works, including construction of an access track and sub-station at land east of Broomhill Wood, Bonhill by Harris Smith.**

The Planning & Building Standards Manager advised the Committee that the applicant's agent was not able to attend the Committee due to sickness and he had not been able to submit the necessary information to allow Table 1 in Condition 11 to be completed. It was agreed to continue consideration of the application to the next meeting of the Committee.

- (b) **DC14/168 – Alteration to permitted extent of quarrying operations and consequential amendments to approved landscaping, tree protection and restoration schemes (amendment to condition numbers 22, 27, 28, 46 and 47 of Planning Permission DC02/187) at Dumbuckhill Quarry, Stirling Road, Dumbarton by Paterson's of Greenoakhill Limited.**

The Planning & Building Standards Manager was heard in further explanation of the report.

Councillor O'Neill, Chair, invited Mr Francis McNeil, Ms Rose Harvie and Mrs Helen Filshie, objectors to the application, to address the Committee. Mr McNeill and Ms Harvie made their views on the application known. Following upon this, Mrs Filshie advised the Committee that she wished to be heard in relation to a hand-out submission containing information in respect of her

representation. In this respect, Mrs Filshie advised that she did not receive the letter of invitation to the Planning Committee wherein objectors were given a period ending 7 days prior to the meeting, to submit productions in support of their representation to the Committee Officer in order to enable all those in attendance at the meeting to consider submissions.

In these circumstances and after hearing Councillor O'Neill, Chair, the Committee agreed to continue consideration of the application to the next meeting of the Committee in order to allow officers and the applicant to consider the submission and to enable the hearing to continue.

**(c) DC14/255 – Erection of secondary school and associated works at Howatshaws Road, Dumbarton by West Dunbartonshire Council.**

Having heard the Planning & Building Standards Manager and the Lead Planning Officer in further explanation and in answer to Members' questions, the Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained within Appendix 1 hereto.

**(d) DC14/251 – Change of use of retail unit to public house/restaurant including installation of new shopfront, rear beer garden area and ancillary mechanical plant at 18 Britannia Way, Clydebank by Witcomb Project Management Ltd.**

The Planning & Building Standards Manager was heard in further explanation of the report.

The Chair, Councillor O'Neill, invited Ms Alison Hogan, objector to the application, to address the Committee. Ms Hogan made her views on the application known.

Following consideration, the Committee agreed to refuse the application on the following grounds, details of which are also contained within Appendix 2 hereto:-

- (1) The proposal was contrary to Policy RET6 of the adopted West Dunbartonshire Local Plan 2010 and Policy SC2 of the emerging West Dunbartonshire Local Plan, in that it would result in the change of use of an existing ground floor retail unit within the Clydebank Retail Core in circumstances where this would result in the loss of an existing retail use and its replacement with a non-retail use which would not contribute towards the reinforcement or revitalisation of the shopping centre; and
- (2) The replacement of a retail use with a public house at this location would detract from the character and amenity of the centre as the site is located prominently close to one of the main entrances into the centre, and a public house and its associated outdoor seating areas would undermine the image of the centre as a retail destination.

## **‘CLYDEPLAN’ STRATEGIC DEVELOPMENT PLAN MAIN ISSUES REPORT**

A report was submitted by the Executive Director of Infrastructure and Regeneration advising of the publication of the Glasgow and the Clyde Valley Strategic Development Plan (“Clydeplan”) Main Issues Report and seeking agreement of the Committee’s response to the document.

After discussion and having heard the Planning & Building Standards Manager in further explanation, the Committee agreed the response to the Clydeplan Main Issues Report.

### **CONVENER’S REMARKS**

Councillor O’Neill, Chair, advised the Committee of a recent discussion he had with the Minister for Local Government & Community Empowerment, Marco Biagi, at a recent COSLA Leader’s Conference.

Following discussion, the Committee agreed to note the terms of remarks made by Councillor O’Neill in relation to the discussion that had taken place between him and Mr Biagi at the Conference, in relation to a motion, which had been unanimously agreed at Council on 25 February 2015, to (amongst other things) continue work with the Scottish Government and Glasgow City Council on a pilot project developing a robust evidence based planning position in the form of supplementary guidance to support its position on Betting Shop Planning Applications and Pay Day Loans and Appeals.

The meeting closed at 11.22 a.m.



**DC14/255 – Erection of secondary school and associated works at  
Howatshaws Road, Dumbarton by West Dunbartonshire Council.**

**Permission GRANTED subject to the following conditions:-**

1. During the period of construction no delivery or removal of material from the site shall take place outwith the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.
2. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays unless otherwise agreed with the Planning Authority.
3. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of the foul and surface water drainage system have been submitted to and approved in writing by the Planning Authority. These shall thereafter be implemented as approved prior to the occupation of the new school. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design.
4. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as exact details and specifications of all proposed external materials have been submitted to and approved in writing by the Planning Authority. These shall thereafter be implemented as approved.
5. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of all ground surfaces including play surfaces, social space, roads and pathways have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.
6. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of the design and location of all bin stores, walls and fences (including retaining walls), acoustic fencing and ball stop fencing to be erected on site have been submitted to and approved in writing by the Planning Authority. These shall be implemented within a timescale to be agreed by the Planning Authority.

7. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and height of any sprinkler tanks have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the school.
8. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and siting of all external lighting have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.
9. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and location of all external furniture, including cycle shelters have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.
10. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of all external signage have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.
11. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as final landscaping details to include the number, siting and type of trees, shrubs and plant species have been submitted to and approved in writing by the Planning Authority. Planting shall thereafter be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after occupation of the school. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of a similar size or species.
12. Other than use by the school itself, the outdoor sports pitch within the school grounds shall only be available for community use once a 2m high acoustic fence has been erected (to be located along the length of the southern boundary of the pitch and wrap around 10m at either end of the pitch) and between the following hours:
  - 6pm to 10pm Mondays to Fridays;
  - 10am to 5pm on Saturdays; and
  - 10am to 5pm on Sundays.

In addition, it is permitted for this pitch to be used throughout school holidays for coaching sessions or similar organised sports activities during the daytime and also subject to the above aforementioned hours.

13. Other than use by the school itself, the outdoor sports pitch located outwith the school grounds and to the south of Howatshaws Road, shall only be available for community use for a twelve month trial period from the date that it becomes operational. At the end of this twelve month period, a review of the operation of this pitch shall be undertaken and the permitted hours of use may either be maintained, revised or reduced based on the findings of the review. The permitted hours of use of this pitch for community lets are:

- 6pm to 8pm Mondays to Fridays;
- 10am to 5pm on Saturdays; and
- 10am to 5pm on Sundays.

In addition, it is permitted for this pitch to be used throughout school holidays for coaching sessions or similar organised sports activities during the daytime and the above aforementioned hours.

14. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the floodlights, including their exact location, design and lighting specification have been submitted to and approved in writing by the Planning Authority. The floodlights shall then be implemented in accordance with the approved details and shall be maintained in this condition. Any subsequent changes to their position or specification shall be subject to the prior written approval of the Planning Authority.
15. The floodlights around the sports pitch located to the south of Howatshaws Road shall not be used after 8pm (Monday to Friday) or 5pm (Saturday and Sunday).
16. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the specification and surface of the synthetic grass pitches have been submitted to and approved in writing by the Planning Authority. These details shall include appropriate safety margins around the outside of the playing surfaces of the pitch and appropriate drainage. The pitches shall be designed and constructed by a specialist pitch contractor. The synthetic grass pitches shall be operational no later than one year after the opening of the new school.
17. Prior to the occupation of the school, a School Travel Plan and Workplace Travel Plan shall be submitted to and approved by Planning Authority, and any actions arising from it shall be implemented prior to the occupation of the new school and shall be maintained thereafter.
18. Prior to the occupation of the school traffic calming measures and a pedestrian crossing shall be provided on Howatshaws Road. Details of these measures shall be submitted to and agreed with the Planning Authority prior to the commencement of development on site (other than such preliminary works as may first be agreed in writing with the Planning Authority).

19. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the sightlines of the new junctions onto Howatshaws Road have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the school being brought into use and maintained thereafter.
20. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of an adequate sized grease trap have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the school being brought into use and maintained as approved.
21. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction and identify measures to prevent or limit the occurrence and impact of such dust and thereafter shall be implemented as approved.
22. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
23. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required carrying out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
24. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if

requested, a comprehensive contaminated land investigation shall be carried out and any remediation works carried out within a timescale to be agreed by the Planning Authority.

25. Prior to the occupation of the school, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of the management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8 ‘Potential Bird Hazards from Building Design’. The Bird Hazard Management Plan shall be implemented on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan shall take place unless first submitted to and approved by the Planning Authority in consultation with Glasgow Airport.
26. The developer shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the construction phase, and shall ensure that adequate and continuing measures are taken such that roads and footpaths adjoining the site are maintained free from mud and other material carried from the site by construction or any other vehicles. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the measures to be implemented have been submitted to and approved by the Planning Authority, and these shall thereafter be implemented as approved.
27. Prior to the undertaking of any tree works, the trees shall be checked for the presence of bat roosts and breeding birds. Tree work shall thereafter be undertaken to avoid any impact upon roosting bats or breeding birds.
28. The development shall be completed in accordance with the finished floor levels and ground levels shown on the approved plans unless otherwise approved in writing by the Planning Authority.

**DC14/251 – Change of use of retail unit to public house/restaurant including installation of new shopfront, rear beer garden area and ancillary mechanical plant at 18 Britannia Way, Clydebank by Witcomb Project Management Ltd.**

**Permission REFUSED for the following reasons:-**

1. The proposal was contrary to Policy RET6 of the adopted West Dunbartonshire Local Plan 2010 and Policy SC2 of the emerging West Dunbartonshire Local Plan, in that it would result in the change of use of an existing ground floor retail unit within the Clydebank Retail Core in circumstances where this would result in the loss of an existing retail use and its replacement with a non-retail use which would not contribute towards the reinforcement or revitalisation of the shopping centre; and
2. The replacement of a retail use with a public house at this location would detract from the character and amenity of the centre as the site is located prominently close to one of the main entrances into the centre, and a public house and its associated outdoor seating areas would undermine the image of the centre as a retail destination.

## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Resubmitted: Planning Committee: 29 April 2015

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**DC14/168:**            **Alteration to permitted extent of quarrying operations and consequential amendments to approved landscaping, tree protection and restoration schemes (amendment to condition numbers 22, 27, 28, 46 and 47 of Planning Permission DC02/187) at Dumbuckhill Quarry, Stirling Road, Dumbarton by Paterson's of Greenoakhill Ltd.**

#### 1. REASON FOR REPORT

- 1.1 This application relates to an application which is classified as a major development, and under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

#### 2. RECOMMENDATION

- 2.1 That the Committee indicate that it is **minded to grant** planning permission, and delegate authority to the Planning & Building Standards Manager to issue the decision subject to:
- (a) the conditions set out in Section 9; and
  - (b) the conclusion of a suitable legal agreement (i) securing a financial bond to cover restoration liabilities for the quarry, and (ii) requiring that the quarry excavations comply with the plans approved under this consent rather than those of the previous permission

#### 3. DEVELOPMENT DETAILS

- 3.1 Dumbuckhill Quarry is a whinstone working quarry located on the eastern edge of Dumbarton, to the north west of Milton. Access to the site is by way of sliproads from the eastbound A82 (Stirling Road) which runs along the southern edge of the quarry boundary. The quarry property extends to approximately 30 hectares of hillside, although the actual extraction area is limited to approximately 11 hectares. The curved access road climbs to a level area containing the office and weighbridge (etc.) at the mouth of the extraction area, at a significantly higher level than the A82. At this level there are stockpiles of materials, silt settlement ponds and a plant compound. Due to the level differences, these areas are not readily visible from outwith the site. The actual excavation area is roughly oval in shape, extending back from the narrow quarry mouth and is characterised by high, steep rock faces. The external slopes of the quarry are heavily wooded, with part of the eastern slope being covered by a tree preservation order. Apart from the boundary with the road, the site is surrounded by grazing land. The quarry workings are approximately 300m away from the nearest houses at Milton and Dumbarton.

- 3.2** Dumbuckhill Quarry has been in operation since 1948, having been subject to various planning permissions over the years, but operations on the site are currently being undertaken in accordance with the planning permission DC02/187. That permission, which was granted on 5 April 2004, allowed an extension to the quarry area as well as consolidating all of the earlier consents. As approved, permission DC02/187 allowed the extraction of a further 5 million tonnes of hard rock, which it was estimated would take 20 years to quarry. Consequently, the permission was granted for a limited period of 20 years from the date of consent (i.e. until 5 April 2024). The permission was subject to a total of 51 conditions, which in addition to the duration of the permission covered the permitted area of working, hours of operation, noise, blasting, vibration, dust, road safety, method of working/extraction/soil stripping, drainage, trees, landscaping, stock piling, boundary treatments, waste, site restoration, annual update reports, signage, and lighting. A restoration bond was put in place to safeguard the restoration of the quarry upon cessation of workings.
- 3.3** The 2004 permission has been partially implemented, and at present the quarry occupies almost the whole of the permitted area, but is still some way from its permitted depth. Completion of the 2004 permission would involve a slight extension of workings to the east, and excavation of the quarry floor from its current level (72-88m AOD) down to 55m AOD. The quarry saw limited working for a period of time due to the recession and a change in ownership, and completion of the permitted workings would now be likely to take longer than the remaining 9 years of the permission.
- 3.4** However, rather than completing the previously consented workings, the applicant wishes to amend the permission to allow the quarry to be developed in a different manner. Due to the age of the quarry, some of the previous excavation was undertaken prior to current best practice being adopted, with the result that the quarry currently has a very steep eastern face with only a few narrow terraces. This makes the quarry difficult to work and potentially unstable, problems which would increase if the floor of the quarry is lowered to the permitted depth. The applicant therefore wishes to extend the extraction area outwards to the east, allowing the eastern face to be cut back into more regular terraces which would be easier and safer to work, and which upon the eventual cessation of quarrying would be much safer for the public than the existing sheer cliff face. This proposal would enlarge the consented area of the workings by 0.67ha by extending the quarry by up to 29m to the east and lowering the eastern ridge of the hill by up to 19m. A relatively prominent part of the previously consented area (near the southern end of the eastern face) would not now be worked and would instead be retained as woodland.
- 3.5** These proposed works would all be within the boundary of the existing permission DC02/187, but the extension of the eastern face of the quarry would be contrary to condition 22 of that permission which limited the extent of workings to the specific area shown on the approved plans. Additionally, the changes would conflict with the requirements of various other conditions which specify the permitted extent of tree works (condition 27), the



landscaping scheme (condition 28) and the restoration of the site (conditions 46 and 47). Accordingly, the current application has been submitted under Section 42 of the Town and Country Planning (Scotland) Act 1997, and seeks permission to develop the site otherwise than in accordance with the original conditions.

- 3.6** Extending the quarry to the east in addition to the previously approved excavation of the quarry floor would obviously increase the total amount of rock which could be extracted from the site. The applicant indicates that it is unlikely that all of these excavations could be completed by the time the current permission expires in 2024. The applicant could in the future submit an application to extend the duration of the quarrying permission, but they do not wish to make such an application at the present time. Therefore, in exchange for the proposed extension to the east of the quarry, the applicant is willing to forego their right to significant further excavation of the quarry floor. This would mean that rather than lowering the quarry floor to 55m AOD it would have a finished level of between 72.4m AOD and 88m AOD (i.e. essentially its current level), and that the amount of rock available for extraction would be reduced from 3.5 million tonnes under the current permission to 3.0 million tonnes as now proposed. Therefore, upon completion of works (or expiration of the permission in 2024), the new proposal would result in the quarry being wider but shallower than would have been the case if the existing permission had been completed. Any future application to extend the duration or depth of the quarry would be considered on its own merits.
- 3.7** The mineral reserves at the site would be extracted at an anticipated average rate of 250,000 tonnes per annum, subject to fluctuations in demand. There are currently no restrictions in place concerning the amount of material excavated on an annual basis or restrictions on vehicle movements to or from the site. No significant change in the level of vehicle movements is anticipated as a result of the proposal, and there would be no alterations to the site access.
- 3.8** Following removal of vegetation and soils within the new extraction area along the eastern ridge, the underlying rock would be extracted in a series of benches, working from the highest elevation of the quarry downwards towards the quarry floor. Any soils encountered would be stored within the quarry for eventual use in restoration of the site (although in practice there is very limited soil coverage at this location). At the end of the working life of the quarry, restoration works would be undertaken with the aim of creating an area of nature conservation interest through appropriate tree planting, landscaping, provision of grassland and natural regeneration. The quarry faces would be left to regenerate naturally. The quarry floor would be covered with soil before tree planting and grass seeding was undertaken. The upper bench along the eastern edge would be wide enough for tree planting which would soften the visual impact of the development and contribute towards the restoration of the site. Access into the landscaped former quarry floor would also be provided.

- 3.9** Prior to the submission of the application, a screening opinion was undertaken which concluded that the application would not require to be the subject of an environmental impact assessment (EIA). The application is supported by a planning statement, which included an extended phase 1 habitat survey, a landscape and visual impact assessment and details of potential restoration costs.

#### **4. CONSULTATIONS**

- 4.1** West Of Scotland Archaeology Service, West Dunbartonshire Council Roads Service, the Scottish Environmental Protection Agency, Transport Scotland, Historic Scotland, Scottish Natural Heritage and the Health & Safety Executive all have no objection to the proposal.
- 4.2** West Dunbartonshire Council Environmental Health Service have no objection to the changes proposed, subject to various other conditions from the previous consent (DC02/187) remaining in place.

#### **5. REPRESENTATIONS**

- 5.1** Five representations have been received, including letters from Bowling and Milton Community Council, Silverton and Overtoun Community Council, and Clydebelt. All objects to the proposal and the reasons for objection are summarised as follows:
- Proposal is contrary to policies WC1 (Wider Countryside), RSA1 (Regional Scenic Area) and GD1 (Development Control) of the adopted local plan(WDLP) since any enlargement, reduction in ridge height or extension to the quarry will have adverse impacts upon amenity/character;
  - Proposed loss of trees would be contrary to policies E5 (Development Affecting Trees) and E7 (Woodland and Parkland Retention) of the WDLP;
  - Alterations would have a detrimental impact on the landscape and are therefore contrary to policy E9 (Landscape Character) of the WDLP;
  - Any alteration or lowering of the quarry walls would have a detrimental impact on nearby scheduled ancient monuments and archaeological sites;
  - Extension would be contrary to WDLP policy DC8 (Minerals), which presumes against extensions to quarries where there would be adverse landscape, environmental or heritage impacts;
  - Work may increase the risk of dangerous rock falls in the surrounding area;
  - Detrimental impact on residential amenity, in particular within Milton, as should the front and east wall be disturbed/removed local residents would be left unprotected from dust, noise and pollution; and
  - The Glasgow and Clyde Valley Joint Structure Plan 2006 identified the Kilpatrick Hills as a strategic environmental resource to be safeguarded and there is a presumption against development that would have an adverse effect on such a resource.

#### **6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

- Glasgow and the Clyde Valley Strategic Development Plan (SDP) (2012)
- 6.1** The SDP states that the supply of aggregate minerals, including both hard rock and sand and gravel, are essential for sustainable economic growth and development of the wider city region. Strategy Support Measure 9 (Natural Resources Planning) states that low carbon economic growth requires that indigenous supplies of natural resources continue to be developed. In support of this, the SDP identifies broad areas of search for new mineral development sites, none of which is in West Dunbartonshire. However, the relevance of this is diminished by the fact that this application is for the extension of an existing quarry rather than a new one, and it is generally preferable to expand existing mineral workings in preference to developing completely new sites. The proposal is therefore considered to be in accordance with the spatial development strategy and with the assessment criteria contained in SDP Diagram 4.
- West Dunbartonshire Local Plan 2010
- 6.2** The application site is located within the Green Belt, where policy GB1 states a general presumption against development other than that falling within certain specified criteria. These include there being a specific locational requirement and established need for a development, which cannot be accommodated on a suitable alternative site. Mineral workings obviously require being located out with settlements and where the minerals are present. Dumbuckhill Quarry is a long existing site that has been in operation since 1948 there is a specific locational requirement, and that it would therefore comply with policy GB1.
- 6.3** Policy DC8 (Minerals) states a presumption against new, extended and renewed mineral extraction operations where these are in or would adversely affect areas which have been identified as important for nature conservation, landscape conservation or built heritage. In other areas, applications for mineral workings will be considered on the basis of the need for the extracted material, the impact on the local environment, the amenity of local properties, sport and recreation interests, traffic generation and whether the site is capable of restoration and beneficial after use. These issues are discussed in Section 7, and it is considered that the proposal complies with policy DC8.
- 6.4** Part of the eastern slope of the application site is covered by a tree preservation order so Policies E4 (Tree Preservation Orders), E5 (Development Affecting Trees) and E7 (Woodland and Parkland Retention) are applicable. Policy E4 seeks to protect trees which are covered by tree preservation orders, and to require appropriate replacement planting in cases where felling of such trees is allowed. Policy E5 seeks to ensure that development proposals take into account existing trees and proposes measures to protect and minimise the impact of the development on the trees. Policy E7 presumes in favour of the retention of existing areas of woodland. The impact of the development on trees is assessed in Section 7 and it is considered that the proposal complies with these policies.
- 6.5** Policy E9 (Landscape Character) seeks to ensure that development within the Green Belt has particular regard to the landscape character and

distinctiveness of the location. Proposals should positively contribute to conservation or regeneration of these landscapes, and proposals which are detrimental to the landscape character will not generally be supported. In all cases, measures should be proposed to minimise any adverse impacts. Although the application site is located out with the Kilpatrick Hills Regional Scenic Area (and Policy RSA1 is therefore not directly applicable), it is important to ensure that there is no adverse impact on the setting of the Kilpatrick Hills in terms of landscape quality and character. The impact of the development on the landscape is assessed in Section 7 and it is considered that the proposal complies with Policy E9.

- 6.6** Policy GN1 requires that when assessing development, consideration be given to the impact on the green network, and states that development which is detrimental to the green network will be considered contrary to the Plan. Assessment of the impact of the development on the green network such as landscape, nature conservation and trees is provided in Section 7.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### West Dunbartonshire Local Development Plan

- 7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglen Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. However, the Plan will not be formally adopted until the Scottish Ministers have concluded their assessment, and a further notice advertising its adoption is placed.
- 7.2** The site is identified under Policy SD4 for the continuation of aggregate extraction and the proposal is consistent with this policy, however any expansion proposals are required to be accompanied by acceptable and fundable restoration and aftercare proposals whilst minimising significant adverse impacts on the green network (habitat network, landscape, forestry and woodland, the water environment and the path network), built heritage and residential amenity and the operations of other businesses.
- 7.3** Policy GN4 states that development proposals shall take into account the local landscape character of the area, and ensure that the integrity of this landscape character is maintained or enhanced, and that development that could affect the Kilpatrick Hills will be required to protect and where possible, enhance the special qualities of these hills. The site is outwith the Kilpatrick Hills Local Landscape Area, but has an impact upon its setting. Policy GN5 states that development that would result in the loss of trees or woodland of importance will not be permitted unless clear justification can be given and appropriate replanting can be implemented.
- 7.4** Policy DS1 seeks to ensure that development is appropriate for the application site and that it will not have an unacceptable impact on the

immediate or surrounding area. Policy DS2 states that development outwith the urban area will be restricted to opportunities identified by the Plan and infrastructure with a specific locational need. Dumbuckhill Quarry is identified by the Plan for aggregate extraction, which is considered to have a specific locational need. Policy DS2 also states that development in the green belt must be suitably located, designed and landscaped in order to minimise impact on its setting, and not undermine the purpose of the green belt at this location. These issues are discussed below, and it is considered that the proposal complies with all relevant policies.

#### Scottish Planning Policy (SPP)

- 7.5** SPP aims to ensure that within Scotland, there is an adequate and steady supply of minerals. This is essential to support sustainable economic growth as the minerals industry provides raw material for construction, manufacturing, agriculture and other sectors. Continuity of supply to meet demand depends on the availability of land with workable deposits having planning permission for extraction. Development plans and development management decisions should aim to minimise significant negative impacts from minerals extraction on the amenity of local communities, the natural heritage and historic environment and other economic sectors important to the local economy, and should encourage sensitive working practices during extraction. Proposals should address visual impact during the life of the site, the locational impact of operations, design, layout and phasing and the appropriate management of any extractive waste. Once mineral working has ceased, the land should be reinstated at the earliest opportunity. Planning authorities should encourage after-uses which add to the cultural, recreational or environmental assets of an area and restoration should be designed and implemented to the highest standards. Planning authorities should also ensure that consents are associated with an appropriate financial bond unless the operator can satisfactorily demonstrate that their programme of restoration, including the necessary financing, phasing and aftercare of sites, is sufficient.

#### Principle of Development

- 7.6** Dumbuckhill Quarry has been operating since 1948 and still has significant mineral reserves on site, with permission to operate until 2024. The expansion of existing quarries to meet demand for minerals/aggregate is generally preferable to a proliferation of new workings, and in this case the proposal would not significantly alter the total amount of rock which can be extracted at the site. Continuation of the quarrying operation is also consistent with development plan land use policies. Accordingly, the principle of a quarry of this nature and scale is already established. It is therefore considered that the main issues for the determination of this application are the extent to which the current proposal differs in its impacts from the previously approved scheme, whether or not these changes would be acceptable, and whether the relevant conditions ought to be removed or amended.

### Changes to Operation of Quarry

- 7.7** The site is already a substantial quarry, and the proposed revisions to the extent of working relate to less than 3% of the land within the quarry boundary. As the quantity of rock allowed to be extracted would actually be reduced by the proposal, the impacts of the changes upon the overall operation of the quarry would be relatively minor. Whilst the alterations would simplify rock extraction for the applicant, the extraction rate is governed by demand for aggregate product, and the proposal should not significantly vary the rate of working compared to what the current permission allows. It is therefore unlikely that the proposal would significantly alter the overall character or wider impacts of the quarry operation.

### Visual Impact of the Development

- 7.8** The application has been accompanied by a Landscape and Visual Impact Assessment. The landscape and visual study made use of a number of panoramic photographs taken from 6 key locations around the site. Computer modelling techniques were then used to produce the same viewpoint of the existing situation, the consented position and the proposed scheme. It should be noted that whereas the hillside currently contains mature woodland, the images of the proposed development have deliberately excluded any landscaping proposals. Once established any new landscaping would soften the ridge and create a more natural landscape. The proposed revisions to the area of working are located along 410m of the eastern ridge of the quarry. Within this area the top of the quarry face would be extended outwards by up to a maximum of 29m, and the height of the ridge would be reduced by up to by up to 19m, with the greatest change being at the northern edge of the eastern ridge. Conversely, at the southern edge of the ridge an area which the current permission allows to be quarried would be retained and would be unaffected.
- 7.9** At present, when viewed from the east, Dumbuckhill Quarry itself is scarcely visible, but the tree covered outer face of its eastern ridge is readily visible on the horizon, with the line of the ridge currently being relatively even and horizontal. Although not readily apparent, this is a man-made horizon as the top of the original hill was quarried out many years ago. The current proposal would result in the eastern ridge being further reduced in height, with the new ridge being most noticeable from the east and south. Whilst quarrying operations were taking place along the ridge these would be visible from the east, but as the quarrying progressed down the face the top of the quarry would be subject to tree planting, whereupon the quarry would again not be readily visible from this direction. The new ridgeline would be more undulating than the current horizon, arguably creating a more natural land form. The working area of the quarry would largely be hidden from view from this direction, and it is considered that the lowering of the ridge height would have a relatively minor impact upon the character of the landscape at this location. As the eastern ridge is higher than the western ridge of the quarry, the top of the eastern face is visible from parts of Dumbarton when viewed from the west. Lowering of the eastern face would therefore serve to make the quarry less visible from this direction.

- 7.10** The proposal also involves the retention of an area of the existing ridge adjacent to the mouth of the quarry, at the south east corner of the working, which currently has permission to be removed. At present there are few locations from which it is possible to look directly into the quarry workings, because of the relatively narrow quarry mouth. The removal of the high ground adjacent to the quarry mouth would have the effect of widening the opening, and thus potentially making the quarry itself more prominent within the landscape. The applicant therefore proposes not to work this part of the site in order to mitigate against the overall visual impact of the development. It is considered that this would be a significant benefit of the proposal, which would help to reduce the visual impact of the quarry within the landscape. Overall, it is considered that the changes to the land form resulting from the proposal would be beneficial, relative to the potential landform which would arise from completion of the previous permission.

#### Impact on Amenity

- 7.11** The working area would be extended towards Milton by a maximum of 29m, but this distance is unlikely to significantly alter the quarry's impact upon on the residential amenity of Milton in terms of noise, dust, safety or general disturbance. The quarry has been in operation for a significant period of time and the impacts on residential amenity were assessed as part of permission DC02/187, and it is considered that these safeguards should be carried forward in any new permission. Subject to these conditions remaining in effect, the Environmental Health Service has no objection to the proposal.

#### Natural Environment

- 7.12** A phase one habitat survey was undertaken in support of the planning application. This did not identify any protected species that would be affected by the proposal, and only two trees (both located out with the extension area), were identified as having potential for roosting bats. However, the report concluded that a breeding bird survey should be undertaken prior to removal of any trees. Whilst not directly relevant to the current application, the report also recommended that a reptile survey be undertaken on the north western area of the quarry prior and in the area of grassland at the southern end of the quarry before any further extraction takes place in these areas under the current permission.
- 7.13** The hillside beyond the eastern edge of the quarry contains woodland which is partially covered by a tree preservation order. As part of the phase one habitat survey, a survey of the trees on site was undertaken. The majority of the eastern hillside consists of broad leaved woodland, although tree coverage is relatively sparse in places. The lower parts of the slope tend to have more mature trees, which are potentially remnants of ancient woodland, whilst at the top of the slope where the gradient is steeper and the ground more rocky, the trees are mainly young Sycamores. The majority of the trees which would be removed are these young Sycamore trees, which are of lower ecological and landscape value than the larger and more diverse trees further down the hillside. The part of the site which is identified as ancient woodland would not be affected by the proposal, and the retention of these more

valuable trees and the additional replanting is considered to outweigh the loss of the small trees along the eastern ridge.

#### Duration of Consent

- 7.14** The applicant does not currently wish to extend the duration of the permission for the quarrying operations, and therefore any permission should be limited to the same expiry date as the earlier permission (i.e. 2024). At that date, the quarrying would have to cease unless a separate permission to extend the duration of extraction had been granted. Any such application would require being determined on its own merits. The current planning permission (DC02/187) for the site would be subject to a requirement for a Review of Minerals Permission (ROMP) in 2019, however should the current planning application be granted a ROMP application would not be needed. However, in view of the limited length of time which would remain until the consent expired it is considered that this would be acceptable.
- 7.15** One of the main reasons for the application is to improve safety at the quarry by stabilising the uppermost faces and widening the benches along the eastern face of the quarry. Under the existing permission, upon cessation of quarrying the eastern sides of the quarry faces were to be left as very tall, sheer faces. Whilst historically quarries were commonly left in such condition, this arrangement presents obvious hazards to any persons or animals in terms of the consequences of falling from such a height, as well as the greater risk of rock falls. Instead it is now good practice to leave quarries as a series of shorter terraces, which are more stable and from which it is not possible to fall a great distance. The applicant states that the geotechnical design of the proposed faces and benches has been developed in accordance with the Quarries Regulations, and the Health and Safety Executive have confirmed that they are satisfied with the proposals. The proposal would therefore have the significant benefit of improving the safety of the quarry upon the cessation of quarrying operations, and would make it easier to allow public access to the site, including the viewpoint at the top of the hillside which is potentially an attractive walking destination.

#### Restoration Arrangements

- 7.16** The existing permission DC02/176 was subject to a restoration scheme, along with a restoration bond intended to guarantee funding for restoration in the event of the quarry operator ceasing to trade. A review of the existing restoration scheme and bond was carried out in 2014 by external consultants, Parsons Brinckerhoff, on behalf of the Council. The review made a number of recommendations of good practice for restoration of quarries. Whereas the previous scheme included a significant amount of soil importation and tree planting around the site, the report recommended allowing a more natural regeneration of the quarry faces as well as the retention/enhancement of existing trees on the site. The review recommended the encouragement of self-seeded growth on quarry faces by using controlled blasting to reduce the face angles of the benches, and using a 30cm topsoil and a 70cm site-based granular material from quarry overburden as a sub-base rather than importing large quantities of subsoil to the upper parts of the quarry to establish the mixed deciduous woodland and acid grassland. The review also recommend



that rather than waiting for the quarry to close before beginning restoration work, early restoration could take place on areas which are no longer required for quarrying operations (e.g. example, the north-east and north-west edges of the quarry) and suggested that natural regeneration methods be trialled on the site to determine their success.

- 7.17** The applicant has taken account of these recommendations in their amended restoration scheme. In addition to the retention of the trees on the southern/eastern slope, the restoration proposals would include natural regeneration of the quarry faces, provision of a maintenance track, formation of a seasonal water collection pond, subsoil being laid over the quarry floor up to a depth of 1.5m and the undertaking of tree and grassland planting. The revisions to the eastern ridge would also allow planting to be undertaken along a 5m wide bench on the upper level as part of the site restoration which once established, would soften the horizontal ridge when looking west. Once completed, the site restoration aims to have created an area of nature conservation interest focused on acidic grassland, heathland and semi natural mixed woodland of locally common species. The proposed site restoration details are considered to be acceptable, and preferable to the scheme approved as part of the earlier consent. It is recommended that a suitable restoration bond be put in place to guarantee that the cost of the restoration are fully covered in the event of the quarry operator going out of business in the future.

#### Technical Issues

- 7.18** There are no known archaeological features on the site which would be affected by the proposal and there have been no objections from West of Scotland Archaeology Service or Historic Scotland. There have also been no objections from any other technical consultees, and the impacts upon drainage, archaeology, noise, natural habitat, tree removal, operational safety, access and the water environment are all considered to be acceptable.
- 7.19** Under the previous owner there have been instances of rocks rolling down the outer face of the quarry when the stabilisation works on the outer rim of the quarry were undertaken. Measures were put in place to ensure the safety of the general public who may be utilising the surrounding lands for recreational purposes. This involved the erection of a catch fence on the outer south eastern slope of Dumbuckhill and the construction of 2m high rock soil bunds with upslope ditch at the foot of the hill on a break in slope. These measures remain in place and are considered satisfactory. The new operator has indicated it is a statutory obligation to commission independent geotechnical assessments in accordance with the Mines & Quarries Regulations every two years to ensure that all internal and external faces are stable, do not contravene the Mines & Quarries Regulations and do not present any threat to members of the public or the workforce. It is also a requirement for the operator to ensure that daily site inspections are carried out to ensure that all faces and slopes remain stable. Any potential problems need to be resolved immediately and a record kept of all such incidents and actions taken. Also the blasting contractor will be required to ensure that all blast designs on the upper eastern bench are in accordance with the Mines & Quarries

Regulations in order to remove the likelihood of rock overspill down the eastern slope.

- 7.20** The operator has indicated that the rationale behind the application is to ensure that the quarry can be worked in accordance with the current Mines and Quarries Regulations to ensure all internal faces and external slopes are left in a stable condition. In their recent consultation response the HM Inspector of Quarries, having considered the proposals detailed in the submitted Planning Statement did not identified any conflict with health and safety law and had no further comments or observations on the application. The works propose to reduce the eastern face height by 19 metres; however a stable five metre wide upper bench will be planted with trees. These works will ensure the stabilisation of the eastern outer rim and will prevent overspills.

## **8. CONCLUSION**

- 8.1** The use of this site as a quarry has long been established and the existing consolidated permission for the site permits quarrying activities to continue on site until 2024. The current proposal will reduce the total volume of material allowed to be excavated from the site and will not extend the lifespan of the quarry. The impact of the proposal on the environment and amenity of the surrounding area is acceptable and no technical issues have been raised. Although there will be alterations made to the landscape in terms of the horizon line around the eastern side of the quarry, the impact of these alterations on the landscape are considered acceptable. Overall, the proposal complies with the relevant policies contained in both the adopted and proposed local plans, and would have the benefit of improving safety at the quarry in the long term. Subject to perpetuation of the previous conditions to safeguard residential amenity within Milton and Dumbarton, and to agreeing a suitable financial bond for restoration works, the proposal is considered acceptable.

## **9. CONDITIONS**

- 1. This development hereby permitted shall enure for a period until 5 April 2024 only. At the end of the period of permission, all quarrying operations, including the crushing of rock and the transfer of aggregates from the site, shall cease.**
- 2. The normal daytime operating hours for the quarry are to be 0700 hours to 1900 hours Monday to Friday, 0700 hours to 1200 hours (noon) on Saturday and not at all on Sundays or Public Holidays and no heavy goods vehicles shall arrive at or leave the site and no operations, including the loading and transportation of minerals or operation of quarry plant shall take place outside these hours. Permission to operate outside these hours must be agreed in writing with the Planning Authority prior to such operations taking place.**

- 3. Noise attributable to the operators at Dumbuckhill Quarry shall not exceed the daytime limits of 50dBL Aeq 1 hour at Milton House, 49dBL Aeq 1 hour at Lennox Road, 55dBL Aeq 1 hour at Third Avenue and 53dBL Aeq 1 hour at Barnhill Road, Milton, as specified in Aggregate Industries written statement (which formed part of planning consent DC02/187).**
- 4. A request for the relaxation of the noise limits identified in condition 3 above shall be submitted in writing a minimum of 14 days prior to the commencement of the operations requiring the relaxation and must include time periods and noise limits for the temporary relaxation, all for the consideration and written approval of the Planning Authority.**
- 5. The applicant shall undertake a noise monitoring programme at the locations as described in condition 3 and the frequency and times of such monitoring must be agreed with the Planning Authority and the results of which submitted in writing to the Planning Authority on a frequency to be agreed with the Planning Authority. For the avoidance of doubt, the noise monitoring shall be carried out in accordance with the methods specified in PAN50: Annex A – The Control of Noise at Surface Mineral Working and in so far as is reasonably practical, the operation shall ensure that the best practice methodologies set out in PAN50 are adopted.**
- 6. At a time to be agreed in writing with the Planning Authority, the operator shall construct a temporary 2m high barrier along the south eastern edge of the 148m bench level with the barrier having a minimum surface mass of 15kg/m<sup>2</sup> and the exact design, position, length and time in place to be agreed in writing with the Planning Authority prior to operations starting at this locality within the site.**
- 7. Blasting operations shall be carried out at regular times between 10.00 and 16.00 Monday to Friday with no blasting permitted at weekends or on public holidays and the quarry operator shall endeavour to ensure that so far as is practicable, blasting should be carried out between 10.00 and 13.00.**
- 8. No blasting shall be carried out during temperature inversion and blasting shall be avoided under weather conditions which are likely to direct or focus the blast air overpressure towards noise sensitive properties.**
- 9. Blasting shall only carried out after suitable audible and visual warnings have been given and that, prior to the commencement of operations within the additional minerals extraction area, the occupiers of all noise sensitive properties as identified in**

**condition 3, shall be notified in writing of the nature of the warnings.**

- 10. Blasting shall be carried out using the best practicable means available to ensure that the resultant noise, vibration and air overpressure are minimised in accordance with best practice methodologies.**
- 11. Ground vibration as a result of blasting shall not exceed a peak particle velocity of 6mm/s for 95% of all blasts over any 12 months and no individual blasts shall exceed a peak particle velocity of 12 mm/s with the measurement to be the maximum of three mutually perpendicular directions taken at the ground surface at any vibration sensitive building.**
- 12. Notwithstanding the requirements of condition 11 above, if as a result of any emergency situation or need to ensure safe quarry practices, blasting is required to take place outside the specified hours, the times and reason for such an event shall be notified in writing to West Dunbartonshire Council's Environmental Health Section within two days of the occurrence.**
- 13. The Environmental Health Section of West Dunbartonshire Council shall be given a minimum of 48 hours telephone notification before every blast at the quarry.**
- 14. Prior to excavation works taking place within the additional minerals extraction area, the applicant shall submit for the written approval of the Planning Authority, a list of properties considered to be vibration sensitive at which the monitoring of blasts shall be carried out.**
- 15. The quarry operators shall carry out vibration monitoring and shall forward the written results of the monitoring to the Environmental Health Section of West Dunbartonshire Council on a quarterly basis.**
- 16. The quarry operator shall ensure that all operations are controlled so as to prevent or minimise the release of dust into the atmosphere and the dust mitigation measures as listed in table 16 of the application statement shall be implemented and shall be done in a method which ensure that best practice methodologies are adopted.**
- 17. Visual assessments of dust emissions from all plant and operations shall be made at least once per day during operations and remedial actions taken.**
- 18. The wheel cleaning facilities already in use on the site must continue to be used by every vehicle entering/leaving the**

operations area and shall be maintained in operation throughout the life of the quarry.

19. The paved area of road within the site shall be swept/washed where required in order to ensure that no debris from the quarry is carried onto the public highway.
20. The methods of working within the quarry shall continue to be as described within the documents approved as part of the previous planning permission DC02/187 and any changes to the operating procedures or methods shall be submitted to and approved in writing by the Planning Authority and shall be implemented as approved.
21. The extent of the quarrying operations area and the depth of extraction shall be as outlined on Drawing No. M12.177(a).D.005 Rev. A. No other areas of the site may be extracted, and the permitted depths must not be exceeded. Where these details differ from the extent/depth of working permitted by the previous permission DC02/187, then the details approved as part of this current permission DC14/168 shall apply.
22. The gradient of the quarry floor shall be maintained at 1:250 and in such a manner as to ensure that throughout the life of the quarry, all internal water run-off is directed out of the excavation area towards the settlement ponds to ensure that no flooding takes place within the quarry area.
23. The operator of the quarry shall grade all benches and work areas to drain towards the quarry floor and ultimately towards the silt ponds and no water run-off shall be directed out of the quarry area unless it is within the current discharge process as consented by SEPA.
24. The operator of the quarry shall continue to control water run-off from the site according to the Discharge Consent and the conditions contained therein, as issued by SEPA and shall inform the Planning Authority in writing of any changes or updates in the Discharge Consent (or its equivalent) and its conditions.
25. The operator of the quarry shall continue to carry out the crushing, grading and screening of the minerals on the site according to the Certificate of Authorisation of a Prescribed Process as issued by SEPA and shall inform the Planning Authority in writing of any changes or updates in the Certificate (or its equivalent) and its conditions.
26. The existing trees covered by the Tree Preservation Order and located to the east of the revised quarry area shall be removed in accordance with the new extraction area shown on Drawing No.

**M12.177(a).D.005 Rev. A. Any trees located out with the new extraction area shown on Drawing No. M12.177(a).D.005 Rev. A shall not be lopped, topped, felled, lifted, removed or disturbed in any way without the prior written consent of the Planning Authority and details of what protection measures will be taken shall be submitted to and approved in writing by the Planning Authority and implemented as approved.**

- 27. The area along the eastern, southern and northern boundaries and up to the lip of the quarry, as outlined on Drawing No. M12.177(a).D.005 Rev. A shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Planning Authority before work commences within the new extraction area. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and the extent of any areas of earthmounding, and shall ensure:-**
- (a) completion of the scheme during the planting season next following the completion of all blasting along the uppermost level along the eastern boundary, or such other date as may be agreed in writing with the Planning Authority; and**
  - (b) the maintenance of the landscaped areas for a period of five year or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Planning Authority are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.**
- 28. Any topsoil and subsoils to be removed from the revised minerals extraction area must be stored on site as described in the applicant's written submission and must be retained on site for eventual reuse as part of the restoration works as described in conditions 45 and 46, all to the satisfaction of the Planning Authority.**
- 29. No extraction or quarrying operations shall be carried out within the additional minerals extraction area until all topsoil and subsoil is fully stripped to the full available depth and the stripping of such soils shall only take place when they are dry.**
- 30. If it becomes necessary to relocate any of the existing or new soil storage mounds within the site then such soils cannot be relocated until the Planning Authority give written approval of the new storage locations and methods of storage.**

- 31. If it becomes necessary to relocate the mineral stock piles from the location indicated in the applicant's submission, then such relocation cannot take place until the Planning Authority give written approval of the new storage locations and methods of storage.**
- 32. Within three months of the date of the consent, the applicant must submit details of the proposed new traffic signage at the approach, access and egress to the site for the written approval of the Planning Authority.**
- 33. In the interests of clarity, it should be noted that this consent represents a consolidating approval for the whole of the area and supersedes the previous quarry consents, namely VL407, VL1858, DB261, DB2026 and DC02/187.**
- 34. Details of all boundary walls and fences for the full extent of the application site shall be submitted to and approved in writing by the Planning Authority and implemented as approved.**
- 35. In the event that any waste products are produced on the site, the operator of the quarry must obtain the relevant license and details of any waste products and the license shall be submitted to the Planning Authority as soon as they are identified or received.**
- 36. Notwithstanding the terms of Class 56 of Schedule 1 of the Town and Country Planning (General Permitted Development)(Scotland) Order 2011, the further written consent of the Planning Authority shall be required in respect of any further buildings, plant or machinery that may be required in connection with the development hereby permitted.**
- 37. No later than 6 months after the permanent cessation of quarrying or the date set by condition 1 above (whichever is the sooner), all buildings, plant, machinery and areas of hardstanding including the internal access roads shall be removed and the ground reinstated in accordance with the conditions of this permission in relation to restoration.**
- 38. Except as may otherwise be agreed in writing with the Planning Authority, at the expiry of twelve months from the date of this planning permission, and thereafter at twelve monthly intervals, the applicant shall submit a plan to a scale of not less than 1:2500 indicating the progress of quarrying operations. The plan will indicate the current position of the extraction areas, the extent of spoil disposal and any landscaping works that have been implemented.**
- 39. For the duration of this permission and up to the completion of all aftercare works warning signs shall be erected and maintained by**

**the operator next to all publicly accessible areas within or adjacent to the quarry, details of the locations of these signs shall be made known to the Planning Authority.**

- 40. No rubbish or other waste materials shall be burned on site at any time, and the operator shall be responsible for immediately extinguishing any sporadic burning which may occur.**
- 41. No waste materials other than inert materials approved as part of the restoration plan shall be imported to the quarry for the purposes of recycling.**
- 42. No materials shall be imported to the site for the purposes of storage, crushing, screening, processing, manufacturing or onward transportation.**
- 43. Any chemical, oil or diesel storage tanks installed within the application site shall be sited on impervious bases and surrounded by impervious bunded walls and the bunded areas shall be capable of containing 110% of the tank volume and should enclose all fill and draw pipe.**
- 44. All artificial lighting units installed at the quarry shall be so sited and shielded to be incapable of direct sight from any residential property outside the quarry boundary.**
- 45. Within 6 months of the date of this consent, a revised restoration masterplan for the whole of the quarry area and including details of the restoration or replanting of dilapidated features such as boundary hedges and drystone dykes, as well as details showing how recreational access and links to the local path network, would be achieved, along with details of aftercare and afteruse, must be submitted to and approved in writing by the Planning Authority. This revised restoration masterplan shall reflect the recommendations contained in the Parsons Brinckerhoff (Restoration Bond Review Dumbuckhill Quarry) report dated June 2014.**
- 46. As part of the revised restoration masterplan as described in condition 45 above, a detailed restoration scheme for the upper bench levels shall be submitted to and approved in writing by the Planning Authority and shall include details of restoration works to add rock and soil to reprofile blast faces and trees and other planting to assist natural regeneration, all in order to replicate the appropriate key characteristics of the surrounding landscape.**
- 47. The restoration scheme approved under the terms of condition 45 above shall be implemented and the works completed within 12 months of the completion of all quarrying operations or the date stated in condition 1 above, whichever is sooner.**



48. In the event that during the life of this permission mineral extraction ceases for a continuous period in excess of two years or the use is discontinued for a like period, then unless as may otherwise be agreed in writing with the Planning Authority within 12 months of either event occurring, a revised restoration scheme that modifies and updates that required by condition 45 above, shall be submitted for the written approval of the Planning Authority, including any modifications as may be required, detailing the steps to be taken to restore the site.
49. Within 12 months of being approved, any revised restoration scheme that may have been required under the terms of condition 48 above shall be implemented and the works completed.
50. The approved aftercare scheme shall be implemented following cessation of mineral extraction and in accordance with the approved timetable as required by condition 45 above, unless as may otherwise be agreed in writing with the Planning Authority.
51. Prior to the commencement of works within the new extraction area as shown on Drawing No. M12.177(a).D.005 Rev. A, a breeding bird survey and a reptile survey shall be undertaken and the findings submitted for the written approval of the Planning Authority and any actions arising from the survey shall be implemented within a timescale agreed with the Planning Authority.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 29 April 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
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**Appendix:** None

**Background Papers:**

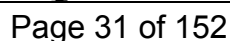
1. Application documents and plans;
2. West Dunbartonshire Local Plan 2010;
3. West Dunbartonshire LDP - Proposed Plan;
4. Representations;

5. Planning Permission DC02/187
6. Consultation responses; and
7. Scottish Planning Policy.

**Wards affected:** Ward 3 (Dumbarton)

**Date: 15 April 2015**

**Quarry  
Stirling Road  
Dumbarton  
G82 2SE**



## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 29 April 2015

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#### **DC13/244: Demolition of public house and erection of houses (18 units) at 4 Milldam Road, Clydebank by R & L Properties No.1 Limited.**

### **1. REASON FOR REPORT**

- 1.1** The application has been subject to a number of objections and is recommended for approval. Under the terms of the approved scheme of delegation it therefore requires to be determined by the Planning Committee.

### **2. RECOMMENDATION**

- 2.1** That the Committee indicate it is **Minded to Grant** planning permission subject to the conditions set out in Section 9 below, and to the conclusion of a Section 75 planning obligation or other suitable means of securing a financial contribution in lieu of play provision.

### **3. DEVELOPMENT DETAILS**

- 3.1** The application relates to an area of land which currently contains the Doublet public house, its associated car parking, and vacant land to the rear of the building. The site is located on the corner of Faifley Road and Milldam Road, although much of the Milldam Road frontage is occupied by a single storey dental surgery which is surrounded by the application site on three sides. The rear gardens of residential properties adjoin the east and south boundaries. The highest point of the site is at Milldam Road and the land slopes down towards the south and east, with a fall of approximately 7m across the site.
- 3.2** It is proposed to demolish the public house and erect a total of 18 houses on the site, comprising:
- a two-storey block comprising 4 one-bedroomed houses on the corner of Faifley and Milldam Roads;
  - six 2 and 3-bedroomed semi-detached houses fronting Faifley Road;
  - one detached and six semi-detached houses located along the eastern edge of the site, all 3-bedroomed and fronting a new cul-de-sac; and
  - one 3-bedroomed detached house fronting Milldam Road, in the gap between the dental surgery and the eastern boundary.
- 3.3** Although some of the new properties would have pedestrian access from the existing streets, all of the new properties would take their vehicular access and parking from a new cul-de-sac off Faifley Road, which would have its junction at the southern end of the site. The new houses and flats would all

have simple elevations with no porches or dormers but would be finished in facing brick with vertical rendering on all elevations and concrete roof tiles.

- 3.4** The proposed site levels have been designed to minimise the amount of cut and fill required, with the result that the new buildings would step down through the site from north to south. Brick retaining walls are proposed at various parts of the site including: along both sides of the new access road, a 1.5m high wall behind the parking courtyard for plots 5-10, and a 1.2m high wall in the rear gardens of plots 11-17. The site would have a landscaped setting which includes grassed areas and tree planting at the entrance of the new access road, adjacent to the two courtyard parking areas and alongside the new pedestrian footpath at Milldam Road. All the properties have private gardens with plots 7 -17 also having low level timber decking leading out from patio doors.

#### **4. CONSULTATIONS**

- 4.1** Scottish Water has no objection but indicates that the developer will be required to assess the impact of the development on the existing water and sewerage infrastructure.
- 4.2** West Dunbartonshire Council Environmental Health has no objection to the proposal subject to conditions controlling construction activities.
- 4.3** West Dunbartonshire Council Road Services has no objection to the proposal subject to conditions relating to final levels and SUDS details.

#### **5. REPRESENTATIONS**

- 5.1** A total of 5 representations have been received from neighbouring properties. All object to the proposal, and concerns raised can be summarised as follows:
- Construction phase - demolition and construction work may cause structural damage to nearby properties. Specific concerns about potential for rock blasting for foundations, risk of land slippage during construction of the access road, and noise/dust during construction. Assurances requested that any development which commences be completed timeously;
  - Impact on adjacent properties – introduction of traffic noise on the new cul-de-sac, which is close to rear bedroom windows of properties on Craigs Avenue. Possible overlooking of properties at Craigs Avenue, and suggestion that this could be addressed by reducing number of units;
  - Road and traffic issues – concerns about safety of new junction onto Faifley Road due to proximity to curve and poor sight lines. Redevelopment of the pub car park. Development of the pub car park

and access lanes will impact upon parking for the dental surgery, including the loss of the existing dropped kerbs used for access. Increased numbers of cars in the area as a result of development;

- Water and drainage - changes to drainage through the site may lead to run-off to the lower lying properties. Assurances needed that the existing drainage and sewerage systems will be able to cope with increased demand;
- General amenity - loss of a public house which serves local community, and loss of vegetation behind Abbeylands Road/Craigs Avenue;

These issues are discussed in Section 7 below.

## **6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

### West Dunbartonshire Local Plan 2010

- 6.1** The site lies within an area of Faifley which is identified as an Existing Residential Area. Policy H5 seeks to safeguard the character and amenity of such areas, and sets out criteria for new developments including the need to reflect the character of the surrounding area in terms of scale, density, design and materials. Development which would lead to over development should be avoided. Policy H4 sets out the standards for new housing developments and requires them to be appropriate to the wider landscape and built character of the surrounding area in terms of scale, form, layout, materials and landscaping, which issues are discussed in Section 7 below.
- 6.2** Policy GN2 requires that development follow the integrated green infrastructure approach by incorporating appropriate SUDS, open space, paths and habitats enhancements. Policy R2 requires residential developments to make provision for equipped play areas, amenity open spaces and parks and sports pitches. Where sites are within 400m of an equipped play area or an open space capable of siting one, the site can either provide an equipped play area or make a financial contribution for one based on the number of units. For developments of less than 50 units a Toddlers Play Area (or the financial equivalent) is required. The site is within 400m of an existing play area located further along Milldam Road which includes a multi-use games area and play equipment. A financial contribution would therefore be acceptable in this instance, and this issue is discussed in Section 7 below.
- 6.3** The redevelopment of sites within the Existing Residential Area for residential purposes is consistent with the relevant land use policy (H5). Issues relating to the scale, form and layout of the proposal are discussed in Section 7 below. The applicant has agreed to provide a financial contribution in compliance with the contribution levels set out in Policy R2 and it is concluded that the proposal would comply with all the above planning policies.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### West Dunbartonshire Local Development Plan

- 7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. However, the Plan will not be formally adopted until the Scottish Ministers have concluded their assessment, and a further notice advertising its adoption is placed.
- 7.2** The site is within an Existing Neighbourhood, where Policy BC4 seeks to protect the residential character by preventing any development which would significantly harm amenity, character or appearance. The policy acknowledges that residential amenity can be adversely affected by development which is out of character in terms of design or overdevelopment, removes valued open space, introduces inappropriate amount of traffic or noise, or overlooks private areas. These issues are addressed in further detail below and it is considered that the proposal would comply with this policy.
- 7.3** Policy DS1 requires all development to contribute towards creating successful places by having regard to the six qualities of distinctiveness, adaptable, resource-efficient, and easy to move around, safe and pleasant and welcoming. The proposal is considered to comply with this policy, as discussed below.
- 7.4** Policy GN2 requires development to follow the Integrated Green Infrastructure approach to design by incorporating SUDS, open space, paths and habitat enhancements at a level proportionate to the scale of development and in accordance with Supplementary Guidance. The proposal would comply with this policy as discussed below.

### Principle of Residential Development

- 7.5** The site is within a primarily residential area, and apart from the dental surgery it is surrounded entirely by housing. Whilst the public house use is long established and provides both employment and a social facility within the local community, the use is not subject to any policy preventing redevelopment or changes of use. It is understood that the public house is being run on a tenancy at will basis, a temporary agreement until the site is sold. If the site is to be redeveloped, it is considered that housing would be the most appropriate use. The proposal involves two-storey houses and flats, at a similar density to much of the surrounding housing. It is therefore considered that the principle of redeveloping the site for the purpose proposed is acceptable.

### Housing Layout and Design

- 7.6** In consideration of the layout and design, the proposal is assessed against the draft supplementary guidance on residential developments as well as planning policies H4 and H5, and BC4 and DS1. The layout complies with the key requirements of the supplementary guidance in that it gives importance to the local context, is a design-led development and it promotes the six qualities of good design. The layout provides appropriate building frontages onto both Faifley Road and Milldam Road, whilst creating a new street within the site. This results in there being four distinct groupings of buildings, each would feature slightly different house design, for example, the semi-detached houses within the new cul-de-sac have attached garages but those fronting Faifley Road do not. The block of four houses on the corner of Faifley and Milldam Roads would feature dual elevations to provide an appropriate corner feature, while metal railings around the perimeter would allow the development to appear permeable whilst delineating the private garden areas.
- 7.7** With the exception of those houses at the Milldam Road end, all the properties would step down the gradient through the site. Milldam Road is the highest part of the site, with the lowest part of the site being adjacent to Craigs Avenue. The proposal seeks to fit the development into the hill so that cut and fill is minimised across the site and mainly to accommodate the new internal road and courtyard parking. As a result retaining walls are required in various places and the housing has been designed to step-down. This approach is preferred to levelling the site which leads to large volumes of materials being transported off-site, large underbuilding and greater differentials in site levels at boundary points. The retaining walls vary in height depending on their location but all are to be brick walls. Those in the garden areas are 1.2m in height which will allow for more useable private garden ground to be formed. Around the parking courtyard for plots the retaining wall is higher at 1.5m and 1.0m with a 1.0m fence on top. This is adjacent to parking spaces and grassed amenity areas.
- 7.8** In respect of house design, it is proposed to have a mix of house types all of which have a consistency in design but have variations in footprint size and window composition. The houses make good use of a combination of brick and render to add variation to the elevations and gable walls within the site. There are modern houses on the other side of Milldam Road which also use facing brick with concrete tiles, and the proposal would reflect the character of this and other developments within Faifley. Overall, it is considered that the proposed development would be visually distinctive, and would improve the appearance of the main road into Faifley relative to the existing building on the site.

### Open Space and Green Network

- 7.9** Policy R2 of the local plan sets out open space requirements for residential development sites based on the number of units and distance from existing facilities. This defines three categories of open space: amenity open space, children's play areas, and parks, sports pitches and general greenspace. In this case the proposed development would have over 700m<sup>2</sup> of amenity open



space made up of grassed and tree planted areas around the entrance to the site, alongside the path link and around the courtyard parking areas, which is significantly more than the policy requires. As the site is within 400m of an existing equipped play area further along Milldam Road, Policy R2 allows a financial contribution in lieu of providing another such play area on the site, and a contribution is also required towards parks, sports pitches and wider greenspace. The applicant is prepared to make a financial contribution of £13,374 in total, towards the enhancement of the existing play areas in Faifley (£6,120) and wider greenspace (£7,254). These sums are in line with the contribution levels specified in Policy R2, and could be secured by way of a Section 75 Planning Obligation (or such other suitable means as may be agreed). The Council's Greenspace Service have indicated that there is a desire to carry out small scale environmental improvements at the eastern end of Faifley Knowes, including replacing fencing, resurfacing footpaths and development of a biodiversity area near Langside Street. Access to the Knowes is 200m away from the site, and this would be an appropriate use of the proposed contribution.

- 7.10** In respect of Policy GN2 of the emerging local development plan, the proposal would seek to incorporate the principles of this policy as embedded in the draft supplementary guidance on the green network. The site layout incorporates open spaces and path connections to the surrounding area allowing easy access to the Faifley Knowes green space. The proposal would include SUDS to deal with water drainage issues across the site and the financial contribution would ensure habitat enhancement is carried out on an adjacent site as there are no distinct existing habitats on the development site which would benefit from enhancement works.

#### Roads and Parking

- 7.11** A number of changes to the layout have been made to ensure the roads, parking, visitor parking and services provision would comply with Council standards. All vehicular access and parking would be by way of the new cul-de-sac, which would be of a non-conventional design intended to reflect the principles of "Designing Streets" guidance. This would feature courtyard parking and shared vehicle and pedestrian spaces internally. The site would be easy to move through with path connections created at Milldam Road and Faifley Road as advocated by the residential supplementary guidance and six principles of good design (Policy DS1). As the houses on Faifley Road would have their principal elevations facing that road, pedestrian access would dominate with vehicular access appearing secondary. Road Services have confirmed that the internal access road would be adopted but the parking spaces and courtyard areas would not. Road Services have also indicated that they are satisfied with the location of the access road onto Faifley Road, which would enable appropriate sightlines at this bend in the road to be achieved. Whilst objectors have expressed concerns about increased traffic, the proposal is a modest development of 18 units and the increase in traffic would be well within the capacity of the local road network.
- 7.12** The neighbouring dental surgery currently has its own car parking area, but access is by way of a dropped kerb which marks the access to the public

house car park. The redevelopment of the public house site would result in the loss of most of the dropped kerb; however the dental surgery would be able to continue accessing its car park by extending the dropped kerb along its own frontage, subject to the necessary consents from the Roads Services.

#### Drainage

- 7.13** Some details have been provided of the proposed drainage system which would utilise SUDS and would also require connecting to the existing sewerage system. It is proposed to use porous paving, with road gullies as a back-up system, along with a deep Hydraway Fin drain for groundwater and these preliminary details have been agreed with Road Services. Scottish Water have no objections to the development but have indicated that the developer may require to carry out local works to the water and waste water networks to ensure the existing provision is not adversely affected.

#### Impacts on Residential Amenity

- 7.14** In respect of impact on neighbours, the housing on the site would be built at a higher level than the houses on Craigs Avenue, but only two gables containing minor windows would face towards these properties, and one of these would be separated from the boundary by the new road. The other gable would be positioned close to the back garden boundaries, however it would be some 18m away from the rear windows on Craigs Avenue and at an oblique angle to them. Whilst it is accepted that the proposal would result in the loss of some green space which the houses on Craigs Avenue and Abbeylands Road currently back onto, the trees concerned are of minimal landscape or conservation value. The rear window-to-window distance with Abbeylands Road properties is 25m and the new gardens adjoining these existing properties will be set at a lower level with a 1.2m retaining wall within the gardens set back 1.6- 2.1m from the shared boundary. This is to allow the existing ground levels along the shared boundary with Abbeylands Road to be maintained. Overall, it is considered that the new housing would not have any unacceptable privacy or overshadowing impacts upon the neighbouring homes.

#### Controls during Construction Phase

- 7.15** Various concerns have been raised by objectors in relation to construction works. Some temporary disturbance during construction is unavoidable, but in view of the proximity of neighbouring houses it would be appropriate to impose a condition limiting when noisy activity can take place. A noise control method statement would identify any particular activities which may pose a noise problem and mitigation measures can be agreed prior to work commencing on site. Similarly, dust control measures will require to be agreed prior to work commencing on site to ensure a minimal impact on neighbouring properties.
- 7.16** The representations refer to concerns about possible damage to neighbouring property from demolition work, rock blasting or landslips. However, the demolition works would be controlled by a building warrant which would require a method statement to demonstrate safe demolition practice. The applicant has not indicated that any rock blasting would be necessary for this

site, but if blasting is needed it would be subject to Health and Safety Executive controls.

- 7.17** In respect of any land slippage along the southern edge of the site the existing ground levels would be retained along this boundary. The gap between the road and the shared boundary narrows to 2m along a central section of the road and care during the construction phase would be required to ensure no disruption to adjoining land. The difference in ground levels is not particularly significant so there is no particular reason to expect slippage to occur (the road would be elevated by between 0.2m and 1.4m above the land nearest the boundaries, with a retaining wall along the edge of the road).

## **8. CONCLUSION**

- 8.1** The redevelopment of this site for low-rise housing would be consistent with the development plan land use policies and with the established pattern of development in the area. The proposed design is considered to be acceptable in terms of the character of development and its impact on neighbouring uses, and there are no objections from technical consultees. Whilst there will be some disturbance works during any construction phase this will be short-lived and controlled through use of conditions. In the longer term, the use of the site for residential will not have any adverse impact on the neighbouring properties as a result of the considered layout, positioning of houses relative to existing properties and the proposed levels and retaining walls for the site. A legal agreement is required in respect of a financial contribution to enhance play provision in the area.

## **9. CONDITIONS**

- 01. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.**
- 02. Prior to the commencement of works, full details of the design and location of all walls and fences (including retaining walls) to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.**
- 03. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.**
- 04. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved. The drainage system shall incorporate**

**the principles of Sustainable Urban Drainage Systems within its design and thereafter implemented as approved.**

- 05. The development shall be constructed in accordance with the proposed ground levels as shown on drawing number 24 Rev A. Any alterations to these levels shall be agreed in writing with the Planning Authority.**
- 06. During the period of demolition/construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:**

<b>Monday to Fridays:</b>	<b>0800-1800</b>
<b>Saturdays:</b>	<b>0800-1300</b>
<b>Sundays and public holidays:</b>	<b>No working</b>
- 07. No commercial vehicle making deliveries to or collecting material from the development during the demolition/construction period shall enter or leave the site before 0800 or after 1800.**
- 08. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/ machinery), the anticipated duration of any particular noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise sources upon nearby residential properties and other noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.**
- 09. Unless otherwise approved in writing, no development shall commence on site until a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.**
- 10. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority**

within one week. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works. The works shall be implemented as approved.

11. A landscaping scheme for the amenity open space and boundary of the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the first residential property. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.
12. Prior to the occupation of any house within this development all roads and footpaths within and serving the development shall be completed to the level of bottoming and bitmac base course, including the access bell mouth, visibility splays and all turning heads.
13. Prior to the occupation of the last dwellinghouse in the development all roads and footpaths within and serving the development shall be completed to their final specification and adoptable standard.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 13 April 2015**

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**Appendix:** None

**Background Papers:**

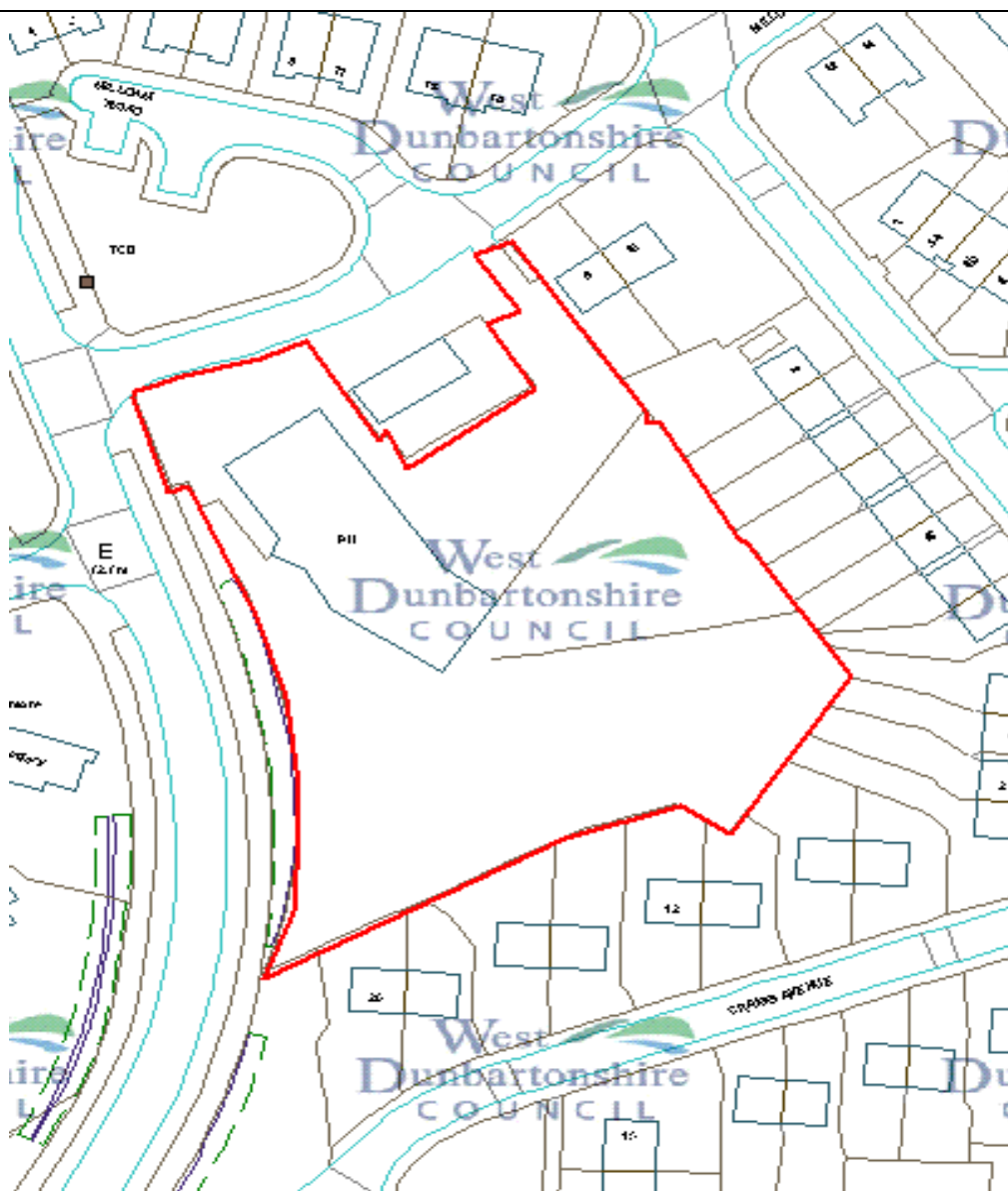
1. Application documents and plans
2. Letters of representation
3. West Dunbartonshire Local Plan 2010
4. West Dunbartonshire LDP - Proposed Plan
5. Consultation responses

**Wards affected:** Ward 5 (Clydebank Central)

**DC13/244**

**Demolition of public house  
and erection of houses (18  
units) (amendment to  
DC13/133)**

**Public House  
4 Milldam Road  
Clydebank  
G81 5JN**



## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 29 April 2015

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**DC15/045                      Change of Use of Ground at Front of Building to Form Beer Garden at “The Twisted Thistle” Public House, 316 Dumbarton Road, Old Kilpatrick by Mr O’Donnoll**

#### **1. REASON FOR REPORT**

- 1.1** The application has been subject to a representation from the local Community Council and residents, and under the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

#### **2. RECOMMENDATION**

- 2.1** **Grant** full planning permission subject to the conditions set out in Section 9.

#### **3. DEVELOPMENT DETAILS**

- 3.1** The application relates to an existing public house on Dumbarton Road, Old Kilpatrick. The property is bordered by the Napier Hall (public hall) to the east and by a car park and parade of small commercial units including a café, a convenience store and a takeaway to the west. To the south, on the opposite side of Dumbarton Road there are flats. The public house is a long, narrow, predominantly single-storey building which is set back slightly from Dumbarton Road behind a small forecourt area. This forecourt is entirely enclosed by a low wall and railings, and has no direct access to the public footway. There is a pedestrian crossing directly in front of the site, and a bus stop layby in front of the adjacent Napier Hall.
- 3.2** The public house has recently changed owners and has been refurbished, with new full height windows opening onto the forecourt area. The new owners of the public house are seeking to move the public house towards a more food-based business model. Consent is sought to use the forecourt area as a beer garden / ‘al fresco’ dining area, and a plan shows twelve small tables, each with four seats.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Environmental Health Service has no objections to the proposal subject to use of the outdoor seating area being limited to 8pm in the evening.

## **5. REPRESENTATIONS**

- 5.1** Five representations have been submitted, four of these are from members of the public with one from Old Kilpatrick Community Council. All object to the proposal for reasons which can be summarised as follows:-
- Proximity of the beer garden to residential properties;
  - Noise from inside the existing public house and noise from people leaving the public house and the proposed beer garden;
  - Concerns about anti-social behaviour;
  - A beer garden already exists in a nearby public house;
  - Impact upon the character of the area;
  - Overlooking to residential properties from the public house/beer garden; and
  - Impact upon users of Napier Hall

## **6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

### West Dunbartonshire Council Local Plan 2010.

- 6.1** The application site is within a defined Local Centre, where Policy RET7 seeks to protect and enhance vitality and viability by encouraging improvements to the existing floor space. Applications for non-retail uses will be supported when it can be satisfactorily demonstrated that the change would enhance the centre, would not have a detrimental impact on adjacent properties by way of noise, disturbance and odour, and would also not adversely affect the general character and amenity of the area. In this case the proposed outdoor seating area would improve the viability of the public house, which is an appropriate use for the Local Centre. The impact upon character and amenity is considered in Section 7 below, and it is concluded that the impact would be acceptable, and the proposal is therefore consistent with Policy RET7.
- 6.2** Policy GD1 is also applicable to all new developments, and seeks to ensure that development is of a high quality of design and respects the character and amenity of the surrounding area. The proposal is considered to be in compliance with this policy.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### West Dunbartonshire Local Development Plan (WDLDP) Proposed Plan

- 7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglen Fields, Duntocher as a housing development



opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. However, the Plan will not be formally adopted until the Scottish Ministers have concluded their assessment, and a further notice advertising its adoption is placed.

- 7.2** Table 5 (Network of Centres Retail Strategy) indicates that Local Centres are the preferred location for shops and services serving a local catchment, which would include public houses. The site is also within an Existing Neighbourhood, where Policy BC4 seeks to protect the predominantly residential character of such areas by preventing development which would significantly harm the residential amenity, character or appearance of existing neighbourhoods. It is considered that subject to suitable conditions the proposal would be consistent with this policy.

#### Principle of Outdoor Seating Area

- 7.3** The site is a long-established public house and is located within an existing Local Centre, which is an appropriate location for such uses. The creation of an outdoor seating area would help the business by providing additional facilities for outdoor eating and drinking in good weather. The site is located centrally within Old Kilpatrick alongside a busy road, and the surrounding area contains a mixture of commercial uses including another public house, a public hall, a café and a takeaway. Whilst the seating area would be positioned at the front of the building, the use would not appear out of place within this mixed area, and the forecourt area is well defined and enclosed by the recently built wall. Overall, subject to it being properly managed and maintained, it is considered that the provision of outdoor seating at this location would be appropriate for the appearance and character of the area.

#### Impact on Residential Amenity

- 7.4** Directly opposite the site are some four-in-a-block flats, with modern two- and three-storey flats to their west. The front garden boundary of the closest flat is approximately 21m away from the boundary of the proposed beer garden / outdoor seating area. This distance, across a main road, is considered sufficient to ensure that the beer garden would not impact upon the privacy of any of the neighbouring homes. In terms of noise and disturbance, there is always a risk of this arising from outdoor seating areas as the times when the seating is likely to be most used (i.e. warm sunny weather) inevitably coincide with times that residents are most likely to be outdoors or to have windows open. However, in this case the site is well separated from the flats across the street, and the site is within an area where there is a significant amount of other activity (i.e. traffic, takeaway, convenience store, and another pub which itself has a rear beer garden) which operate into the evening. It is considered that the level of noise likely to be generated by normal conversations in the beer garden would not be likely to have a significant impact upon the amenity of nearby flats during the daytime or early evening. It would however be undesirable to allow use of the seating area to extend late into the evenings as this would be more likely to cause disturbance. A condition can be imposed limiting use of the beer garden to 8pm in the evening. It would also

be undesirable to allow any amplified music to be played outdoors, or to allow the full height doors to be propped open when music was played in the premises as this would allow noise to spill out of the building. This could also be controlled by a condition.

**7.5** The former public house site was subject to a retrospective application for a beer garden in 2005 (DC04/125). That application was refused due to concerns about noise and disturbance to nearby residents and fears that it would detract from the appearance and character of the area, and the use ceased at that time. However it is now considered that provided the beer garden is properly managed it should not have a detrimental impact on neighbouring residents or the area. A plan has been submitted showing 12 tables each with 4 seats in the beer garden area. It is considered that the number of tables proposed is too high for this area and it should be reduced to no more than 8 tables with a maximum of 4 seats per table. This should be contained in the wider area of the site and should reduce any impact on neighbouring properties and the area.

**7.6** Other concerns raised by objectors include concerns about possible anti-social behaviour in the beer garden. However, the seating area would be directly in front of the pub and would be readily visible from the interior to allow the area to be supervised by pub staff. Problems of unruly behaviour at licensed premises are more likely to arise late in the evening, and as it is proposed to limit use of the external seating to 8pm it is not considered likely that this would be a significant problem. The applicant is also keen to develop the property as a pub-restaurant and to attract diners. Whilst planning permission was refused for a beer garden at this location some years ago, such facilities have become much more common since the smoking ban, and in the light of experience it is now considered that this is an appropriate location for such a facility.

## **8. CONCLUSION**

**8.1** The application premises are a long established public house within a defined local centre, and the proposed beer garden would be consistent with development plan policies that support the retention and improvement of local services. Whilst any outdoor seating area has potential to give rise to some noise and disturbance, in this case it is not considered likely that the proposal would significantly detract from residential amenity provided the hours of use are limited and there is no amplified music.

## **9. CONDITIONS**

**01. The beer garden area shall not be used between the hours of 8pm and 10am. During these times and any other times that the**

beer garden is closed to patrons the public house operator shall ensure that customers do not use the area. Details of the measures to prevent access shall be agreed with the Planning Authority prior to it being brought into use and shall be implemented as approved.

02. No amplified music shall be played within the beer garden area, and the doors leading out from the public house into the beer garden shall be self-closing and shall not be kept open whilst any amplified music is played within the premises.
03. Notwithstanding the submitted plan no more than 8 tables with 4 seats per table shall be provided in the outdoor seating area and they shall be contained in the wider area of the outdoor seating area. Full details of the layout of the proposed benches/seats/tables to be used within the outdoor seating area shall be submitted to and approved in writing by the Planning Authority prior to the area being brought into use and shall be implemented as approved.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 15 April 2015**

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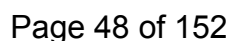
**Background Papers:**

1. Planning application and plans;
2. West Dunbartonshire Local Plan 2010;
3. West Dunbartonshire LDP - Proposed Plan;
4. Consultation responses; and
5. Representations.

**Wards affected:** Ward 6 Clydebank Waterfront

**Date: 15 April 2015**

**Public House  
316 Dumbarton Road  
Old Kilpatrick  
G60 5JH**



## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 29 April 2015

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**DC15/015:**            **Demolition of existing secondary school and erection of replacement secondary school and associated works, extension of existing primary school and refurbishment of existing hydrotherapy pool at Kilpatrick Secondary and Primary Schools, Mountblow Road, Clydebank by West Dunbartonshire Council.**

#### **1. REASON FOR REPORT**

- 1.1** This application relates to a proposal which is categorised as a major development, and under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

#### **2. RECOMMENDATION**

- 2.1** **Grant** full planning permission subject to the conditions set out in Section 9.

#### **3. DEVELOPMENT DETAILS**

- 3.1** The application relates to Kilpatrick Primary School and Secondary School and their associated grounds, which extend to 3.4 hectares and are bounded by open space to the south, woodland to the north east and west, and the A82. The schools provide education for children who have additional support needs (ASN), and currently have a combined roll of 152 pupils with 48 full-time and 37 part-time staff. The site is accessed by way of a private road leading from Mountblow Road, which also serves several houses and the site of a former day centre. The current secondary school building occupies the north west of the site, whilst the separate primary school is located in the south east of the site with a detached hydrotherapy pool building adjacent to it. None of the buildings are readily visible from the surrounding road network due to the significant tree coverage around the site.
- 3.2** The current secondary school building dates from the 1960s, and despite upgrading in recent years its condition has deteriorated both externally and internally. It is therefore proposed to demolish the existing secondary school and replacing it with a new building for the secondary school. In addition, the existing hydrotherapy pool would be upgraded and an extension would be added to the primary school to provide a new early year's department. The new secondary school would be located towards the eastern part of the site where it would connect with the extended primary school and the hydrotherapy pool so that all three facilities are linked together in a single building. A new synthetic sports pitch would be provided on the site of the demolished building, and the site would be landscaped to include courtyards

with sensory planting, soft and hard landscaping which can function as outdoor classrooms, as well as woodland and wetland exploration areas.

- 3.3** The proposed new secondary school would be single storey throughout, although the gymnasium/assembly hall would have a higher roofline. It would comprise a main corridor running north from the new entrance door, off which three wings would extend east. The northern parts of the building would contain the classrooms, whilst the southernmost wing would contain the hall, office space, and kitchen, and would be attached to both the hydrotherapy pool and the new early years department (which itself would be attached to the northern end of the existing primary school). The new secondary school would be of a contemporary design finished in a mixture of brick, coloured cement panels, timber cladding, aluminium standing seam roofing and glazing. It would feature shallow pitched roofs with a maximum height of approximately 10m, although there would also be a small amount of underbuilding. The mix of materials would break up the bulk of the building along with the differing roof heights. The main entrance would occupy a prominent corner location. Between the wings at the rear, courtyards areas would be formed. The hydrotherapy pool would be retained and its appearance improved through the use of cladding, and the new extension for the early years department would be similarly styled, with a flat roof and cladding exterior.
- 3.4** Externally, there would be extensive landscaping within the grounds, including significant tree planting and earthmounding. Once the secondary school is demolished and the site cleared, a new synthetic sports pitch would be constructed in the western part of the site, adjacent to the car park. The sports pitch would not be made available for use by the wider community, and there would be no floodlights installed. The existing pedestrian and vehicular access routes from Mountblow Road would be retained with improvements made to ease vehicle circulation, including provision of a dedicated drop off area. The school car parks would be reconfigured and extended with the number of off-street spaces serving the campus increasing from 47 to 64. In addition to these, 19 further parking spaces are available at the former occupation health centre to the east of the site.
- 3.5** The application is accompanied by a Flood Risk Assessment and Drainage Impact Assessment, Transportation Statement, Design and Access Statement, an Ecological Appraisal, a Tree Survey and a Pre-application Consultation Report, which address the various technical issues.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objection to the proposal subject to a condition relating to the provision of disabled parking spaces.
- 4.2** West Dunbartonshire Council Environmental Health has no objection to the proposal subject to conditions relating to hours of operation on site, construction noise and dust control.

- 4.3 West of Scotland Archaeology Service has no objection to the proposal subject to a condition requiring the implementation of a programme of archaeological works prior to development commencing on site.
- 4.4 Sportscotland, Scottish Natural Heritage, West Dunbartonshire Council Estates Section and the Scottish Environment Protection Agency all have no objection to the proposal.
- 4.5 Glasgow Airport had not responded at the time of writing this report.

## 5. REPRESENTATIONS

- 5.1 Two representations have been submitted. Neither objects to the principle of the proposal, but both raise a number of comments and questions relating to traffic/access, which can be summarised as follows:
- The existing private road is in a poor state of repair and parking is also an issue, particularly for residents;
  - Existing junction onto Mountblow is substandard and is subject to a high volume of traffic, including use as access to the Council's bus depot;
  - There would be additional traffic including large vehicles accessing and exiting the site during construction period;
  - Extended construction period, during which traffic may be generated earlier in the morning or later in the evening than usual;
  - Does the Environmental Health Service have a view on the additional vehicle movements and resultant pollution?;
  - Has there been a traffic survey of the junction onto Mountblow Road?;
  - Does the Roads Service have a view on what level of traffic this junction can safely accommodate?;
  - Will the access lane to the school be widened or upgraded to accommodate heavy construction and earth moving machinery?;
  - Has any consideration been given to construction of a temporary access road into the site from the A82?;
  - Where will teachers park during construction, since disruption may exacerbate existing parking problems?;

## 6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

### West Dunbartonshire Local Plan 2010

- 6.1 The application site is located within the Green Belt, but is also identified as suitable for continuation of the current Public Services use. Policy GB1 states that within the areas of Green Belt identified in the local plan, there will be a general presumption against development unless it meets certain criteria, including a specific locational requirement and established need for the development which cannot be accommodated on an alternative site. Policy PS1 states that the Council will seek to protect established Public Service sites for public utility, social and community use. The site has a long established use as an educational campus within a woodland setting, and the

redevelopment of the school buildings would be in compliance with both of these policies.

- 6.2** The site is within a Tree Preservation Order (TPO) which covers the whole of the Auchentoshan Estate. Policy E4 gives protection to those trees covered by TPOs and requires that where felling takes place, appropriate replanting is undertaken. Policy E5 requires development proposals in close proximity to trees or woodland areas to take account of trees in the design process and ensure that any impact on trees is minimised. Whilst the development will involve the loss of a small number of trees, the overall character of the estate would not be altered and the proposal is considered to be in accordance with these policies.
- 6.3** Policy GD1 is a general policy which applies to all development, and which states that all new development is expected to be of a high standard of design and to respect the character and amenity of the area in which it is to be located. Policy T4 is also applicable and states that sites should be well integrated into walking, cycling and public transport routes. The proposal is considered to be in accordance with these policies.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### West Dunbartonshire Local Development Plan (WDLDP), Proposed Plan

#### **7.1**

- 7.2** The land use allocations in the WDLDP are generally similar to those of the adopted local plan, with the site being identified both as Green Belt and as a Community Facility Opportunity. The relevant policies are as follows:

- BC5 supports the development of community facilities, in particular those listed in Schedule 6 which identifies the application site as an opportunity site for a replacement school;
- GN5 gives protection to trees that are of amenity, cultural, historical, recreational or biodiversity value and aims to prevent the loss of any trees unless there is sufficient justification and that it is possible for appropriate replanting to be undertaken.
- DS1 requires all development to contribute towards creating successful places and refers to the six qualities of a successful place, which are: distinctive, adaptable, resource-efficient, easy to get to /move around, safe and pleasant, and welcoming;
- DS2 restricts development out with the urban area to opportunities identified by the Plan and other specified uses. The redevelopment of this site is identified as an opportunity in Schedule 6. Development in the green belt must not undermine the purpose of the Green Belt and should be designed to minimise the impact on its setting.
- DS3 requires significant travel generating uses to be located within 400m of the public transport network and where relevant, measures to ensure accessibility by active travel or sustainable means should be employed.



The proposal is considered to be in accordance with all of these policies.

Scottish Planning Policy (SPP) – Playing Fields

- 7.3** The SPP indicates that playing fields are an important resource for sport and should be provided in sufficient quantity, quality and accessibility to satisfy current and likely future community demand. Local authorities are expected to develop a playing fields strategy in consultation with Sportscotland, as part of their wider open space strategies. For many sports and recreation developments, locations within or close to residential areas will be the most appropriate location and advice will be available from Sportscotland in this regard. In this case, Sportscotland has confirmed that they are satisfied with the pitch provision for the proposed school.

Principle of Education Use

- 7.4** The site has been used for educational purposes for many years and already contains both a secondary and primary school. The proposed replacement secondary school will have the same capacity as the existing school, and the only intensification of the use of the site would therefore be the addition of the small early years department for the primary school, which is expected to accommodate 10 additional pupils and 4 staff. The footprint of the new development would not be significantly greater than that of the existing buildings, and the site is large enough to accommodate the proposed development. The site has been allocated for community facilities in both the adopted and emerging local development plan, and the proposal is consistent with these designations. It is therefore considered that the principle of redeveloping the site and continuing its use for educational purposes is acceptable.

Design, Layout and Materials

- 7.5** The layout of the site and the positioning of the building within it have been influenced by the location of the existing primary school/hydrotherapy pool building and surrounding woodland. The proposed building would be of contemporary design, comprising a linear elevation running north to south with three wings projecting to the east. Due to the woodland setting, there is no established building line at this location and the building will occupy a clear and relatively level area adjacent to the primary school. Since the building will be single-storey, its height and size will not be overly dominant given the woodland setting. The main entrance to the secondary school would be positioned in the south western corner in order to create a readily identifiable feature entrance. The proposed layout is acceptable and has taken into account the positioning of the existing buildings on site and the proposed access route.
- 7.6** The new building would be finished in a mixture of brick, coloured cement panels, timber cladding, aluminium standing seam roofing and glazing. Added visual interest would be provided by the varying roof line at the front of the school, with the hall spaces being significantly higher than the rest of the structure. Glazing has been used in the design to make the most of natural light and ventilation whilst the glass type will reduce solar transmissions and assist with temperature control. Overall, the proposed building is considered

to be of an attractive modern design, which would enhance the appearance of the school and is compatible to its woodland setting.

#### Impact on Residential Property

- 7.7** The nearest residential properties are a lodge house and a terrace of five cottages adjacent to the junction with Mountblow Road. The proposed new building would be further away from these houses than the existing structure and would not have any adverse impact on their amenity. The reconfiguration of the playing fields would mean that these were closer to the houses than at present; however the houses would remain well separated from the playing fields and are screened from the site by mature trees. Furthermore, it is not intended to make the sports facilities available to the wider community, so noise from the sports pitch would be limited to the school's own sports activities during normal school hours.
- 7.8** There are also three houses to the east of the primary school, close to the site of the former adult occupational centre. These are screened from the new development by the existing primary school, and are not likely to be affected by the new development. Overall, it is considered that the impact of the proposal upon the nearby houses would be minimal.

#### Traffic and Parking

- 7.9** The proposal involves only a modest intensification of use of the site, with the new school being a like for like replacement, and the early years centre adding only 10 additional pupils and 4 staff. Therefore, the proposal would not give rise to any significant increase in traffic to and from the site. Nonetheless, the opportunity has been taken to propose a number of improvements to the parking and circulation arrangements within the site and this is the main issue raised by the representations received.
- 7.10** The school has a wide catchment area, with most pupils travelling to and from the site in school contract buses or taxis. The proposal would provide an improved taxi and bus drop off facility at the front of the school building. At present there is insufficient staff/visitor parking provided within the site relative to demand, and some staff parking therefore spills onto the private access road outside the schools. In order to address this issue, the school car parks would be extended by 17 spaces, and 19 existing spaces at the former adult centre car park nearby would be delineated to act as overspill. Further improvements would also involve refreshing road markings, additional signage and updating the school travel plan. These various improvements are to be welcomed and would comply with the Council's Adopted Parking standards. Whilst the representations suggest that the access onto Mountblow Road is substandard, the Roads Service considers that it is appropriate for the volume of traffic which uses it, and the proposal will not significantly alter this. Overall, the access and parking arrangements are considered to be acceptable.
- 7.11** Whilst the amount of school traffic will not be significantly increased by the new build, there would be additional traffic during the construction and demolition phases. Although the representations express concern about such

traffic, the Roads Service considers that the junction would be capable of accommodating it safely, and the provision of an alternative site access would not be desirable as it would be likely to require the removal of existing trees. As with any development, it must be accepted that there will be some additional disruption during the construction phase, however the hours of work and the time for deliveries can be controlled by conditions to limit the impact on nearby residents. It is proposed that construction on site be restricted to between 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays and not on Sundays or bank holidays. Construction traffic and associated deliveries will require to be managed through the provision of an approved construction traffic management plan prior to commencement of works on site. This will ensure that deliveries of plant and materials are managed out with the morning and afternoon drop off/pick up for pupils at the respective schools.

### Trees

- 7.12** The application site is located within a woodland setting and the trees within and surrounding the site is protected by a Tree Preservation Order (TPO). It is proposed to remove 38 trees in order to accommodate the development. The trees require to be removed for a variety of reasons including, to allow the access road/playground/drop off facility or building to be constructed, whilst others are either in a poor condition, affected by Japanese Knotweed or are simply poor specimens. In general, there is a reluctance to permit the removal of trees unless it can be justified and there are suitable replacement planting proposals. In this instance, although 38 trees would be removed, it is proposed to plant 155 trees. Some would be standalone specimens whilst others would form part of a woodland mix planting area. The proposed replacement planting and consequently, the loss of 38 trees, are in this instance considered to be acceptable.

### Technical Issues

- 7.13** A phase 1 habitat survey was undertaken on site which concluded that it was unlikely that the development would have any impact on badgers, otters, water vole or reptiles. However, since there will be tree felling and demolition undertaken on site, the applicant should ensure that a full bat survey is undertaken prior to work commencing and that if necessary, the appropriate licences are applied for if a bat roost is discovered. Prior to any tree felling on site, it will be the responsibility of the contractor to check that there are no bats or nesting birds present whilst this is undertaken. A condition has been attached to address this matter.
- 7.14** A flood risk assessment was undertaken which concluded that the site was at low risk of being affected by flooding.
- 7.15** West of Scotland Archaeology Service (WoSAS) has highlighted the fact that the site is within an area of some archaeological sensitivity, being close to the buffer zone for the Antonine Wall and within an area where there have been various archaeological finds in the past. Whilst the proposal would not impact upon the Antonine Wall, WoSAS has recommended that archaeological investigations be carried out before development, and this can be secured by a condition.

#### Pre-Application Consultation

- 7.16** As the application constitutes a major development, pre-application consultation was required to be carried out prior to submission of the application and a public event was held in Dalmuir Library. A statutory notice was also published in the local press advertising the public event and submission of the proposal of application notice. The feedback from the public event was generally supportive of the provision of a new school and there were no significant issues raised although comments were made concerning parking provision and disruption during construction activities on site.

### **8. CONCLUSION**

- 8.1** The proposal would contribute to providing a high quality specialist primary and secondary school education for West Dunbartonshire. The proposed new building and associated works have been designed and positioned to minimise the impact on its woodland setting and provide an enhanced civic presence within the local community. The building is considered to be of a quality modern design and appropriate for this sensitive location. The impact upon nearby residents is considered to be acceptable subject to suitable hours of construction and deliveries, whilst the access, parking and drop off arrangements are also considered to be appropriate. Overall, the proposal is acceptable and complies with the relevant policies contained in both the adopted local plan and WDLDP.

### **9. CONDITIONS**

- 1. During the period of construction no delivery or removal of material from the site shall take place outwith the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.**
- 2. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays unless otherwise agreed with the Planning Authority.**
- 3. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of the foul and surface water drainage system have been submitted to and approved in writing by the Planning Authority. These shall thereafter be implemented as approved prior to the occupation of the new school. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design.**

- 4. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as exact details and specifications of all proposed external materials have been submitted to and approved in writing by the Planning Authority. These shall thereafter be implemented as approved.**
- 5. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of all ground surfaces including play surfaces, social space, roads and pathways have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.**
- 6. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of the design and location of all bin stores, walls and fences (including retaining walls) and ball stop fencing to be erected on site have been submitted to and approved in writing by the Planning Authority. These shall be implemented within a timescale to be agreed by the Planning Authority.**
- 7. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and height of any sprinkler tanks have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the school.**
- 8. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and siting of all external lighting have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.**
- 9. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and location of all external furniture, including cycle shelters have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.**
- 10. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of all external signage have been submitted to and approved in**

writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.

11. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as final landscaping details to include the number, siting and type of trees, shrubs and plant species have been submitted to and approved in writing by the Planning Authority. Planting shall thereafter be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after occupation of the school. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of a similar size or species.
12. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the specification and surface of the synthetic grass pitch has been submitted to and approved in writing by the Planning Authority. These details shall include appropriate safety margins around the outside of the playing surface of the pitch and appropriate drainage. The pitch shall be designed and constructed by a specialist pitch contractor. The synthetic grass pitch shall be operational no later than one year after the opening of the new school.
13. Prior to the occupation of the school, a School Travel Plan and Workplace Travel Plan shall be submitted to and approved by the Planning Authority, and any actions arising from it shall be implemented prior to the occupation of the new school and shall be maintained thereafter.
14. Notwithstanding the terms of condition 1 above and prior to the commencement of any development on site, a traffic management plan addressing construction traffic and associated deliveries shall be submitted to the Planning Authority for their approval. The plan shall include details of the management of deliveries and construction traffic during and out with the school day, signage and any road/footway alterations and it shall be implemented as approved.
15. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority (in consultation

with West of Scotland Archaeology Service). Thereafter, the developer shall ensure that the approved programme of archaeological works is fully implemented, and that all recording and recovery of archaeological resources within the site is undertaken to the satisfaction of the Planning Authority.

16. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of an adequate sized grease trap have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the school being brought into use and maintained as approved.
17. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction and identify measures to prevent or limit the occurrence and impact of such dust and thereafter shall be implemented as approved.
18. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remediation works carried out within a timescale to be agreed by the Planning Authority.
19. Prior to the occupation of the school, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of the management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8 ‘Potential Bird Hazards from Building Design’. The Bird Hazard Management Plan shall be implemented on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan shall take place unless first submitted to and approved by the Planning Authority in consultation with Glasgow Airport.
20. The developer shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the construction phase, and shall ensure that adequate and continuing measures are taken such that roads and footpaths adjoining the site are maintained free from mud and other material carried from the site by construction or any other vehicles. No

development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the measures to be implemented have been submitted to and approved by the Planning Authority, and these shall thereafter be implemented as approved.

21. Prior to the undertaking of any tree or demolition works, the trees and buildings shall be checked for the presence of bat roosts and breeding birds. Tree work shall thereafter be undertaken to avoid any impact upon roosting bats or breeding birds.
22. The development shall be completed in accordance with the finished floor levels and ground levels shown on the approved plans unless otherwise approved in writing by the Planning Authority.
23. Prior to the occupation of the new building, the recommendations contained in the Transportation Statement (Dated January 2015) shall be fully implemented prior to the occupation of the new school.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 15 April 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
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**Appendix:** None

**Background Papers:**

1. Application documents and plans;
2. West Dunbartonshire Local Plan 2010;
3. West Dunbartonshire LDP - Proposed Plan;
4. Representation(s);
5. Consultation responses; and
6. Scottish Planning Policy.

**Wards affected:** Ward 5 (Clydebank Central)



**DC15/015**

**Demolition of existing  
secondary school and  
erection of replacement  
secondary school and  
associated works,  
extension of existing  
primary school and  
refurbishment of existing  
hydrotherapy pool**

**Kilpatrick Secondary And Primary Schools  
Mountblow Road  
Clydebank**



## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 29 April 2015

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**DC15/011                      Change of use of retail premises from class 1 to class 2  
(financial, professional and other services) at 82 High  
Street, Dumbarton by Land & Property Management**

#### **1. REASON FOR REPORT**

- 1.1** This proposal is a departure from the Development Plan, but it is recommended for approval. Under the terms of the approved scheme of delegation it therefore requires to be determined by the Planning Committee.

#### **2. RECOMMENDATION**

- 2.1** **Grant** full planning permission subject to the conditions set out in Section 9 below.

#### **3. DEVELOPMENT DETAILS**

- 3.1** The application relates to vacant retail premises situated on the northern side of Dumbarton High Street, a short distance to the west of the Artizan Centre. The unit measures approximately 58 square metres in area. It was last occupied by a travel agency but has been vacant for more than a year. The property is on the ground floor of a four storey red sandstone tenement block, with flats on the upper floors. Within the surrounding town centre there are a mix of business uses including shops, banks, offices, bookmakers, public houses and hot food takeaways. To the rear of the site there is a service yard and a public car park.
- 3.2** Planning permission is sought to change the use of the vacant retail unit to Use Class 2 (financial, professional and other services). The application does not specify any particular likely occupier, although the applicant had indicated that an estate agency has recently expressed interest in the unit, and that this has prompted the submission of the current application as a way of broadening the range of potential tenants for the property.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objections to the proposal.

#### **5. REPRESENTATIONS**

- 5.1** None.

## **6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

### West Dunbartonshire Local Plan 2010

- 6.1** The site lies within Dumbarton town centre, where Policy RET5 states that applications for non-retail uses will be favourably considered where they contribute to the vitality and viability of the town centre and do not conflict with other local plan policies. The site is also designated as being within the Dumbarton core retail frontage, where Policy RET6 seeks to protect and enhance retail and commercial function by encouraging new and improved retail floor space. In the case of ground floor units within the core frontage there is a presumption against changes of use of existing retail (Class 1) uses to non-retail uses. Applications for any change of use from a shop to a non-retail use will only be permitted where it can be satisfactorily demonstrated that such a change would reinforce and revitalise the centre and would not adversely affect the character and amenity of the area.
- 6.2** The proposal would involve the change of use of a ground floor retail unit within the retail core to a non-retail use, which is discouraged by Policy RET6 except where a non-retail use can satisfactorily demonstrate that such a change would reinforce and revitalise the centre and would not affect the character and amenity of the area. The proposal is therefore a departure from the development plan, however, it is considered that the proposed use would contribute positively to the vitality and viability of the town centre and would not have a detrimental impact on the character and amenity of the area. This matter is discussed further in Section 6 below.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### West Dunbartonshire Local Development Plan

- 7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. However, the Plan will not be formally adopted until the Scottish Ministers have concluded their assessment, and a further notice advertising its adoption is placed.
- 7.2** The Dumbarton Town Centre and Waterfront “Changing Place” section of the LDP supports a strong retail core and recognises that other uses also make a town centre. These are encouraged subject to assessment against Policy SC2. The site is included within the core retail area and policy SC2 outlines that proposals for change of use of ground floor Class 1 uses within the core retail areas will be assessed in terms of:
- a) whether the change would significantly reduce the retail offer of the core retail area or parts of it;
  - b) whether the change would lead to the concentration of a particular use to the detriment of the town centre’s vitality and viability;

- c) the contribution the proposed use would make to the vibrancy of the town centre by increasing footfall;
- d) the availability and suitability of other locations in the town centre for the proposed use to locate; and
- e) whether the unit affected by the proposal has been vacant and suitably marketed for retail use.

Within Dumbarton town centre there is a relatively high proportion of vacant units, including around 19 vacant units within the core retail area. The proposed change of use therefore would not significantly reduce the number of available retail units within the core retail area, and would leave ample provision for any retailer who may wish to locate their business on the High Street.

- 7.3** There are a significant number of class 2 uses within the High Street, including banks and solicitor's offices, and within the immediate area surrounding the application site there is a loan shop and a betting office. While the proposal would introduce another class 2 use to the town centre, such uses are reasonably spread across the High Street and it is not considered that there are so many Class 2 uses as to have a detrimental impact on the vitality and viability of the town centre. While different uses within class 2 will have different impacts in terms of footfall, the applicant has advised that an estate agency may be interested in occupying the property, which would attract some customers and there would also be footfall from any staff working on the premises. While this may involve only a very small increase in footfall it would still make some contribution nonetheless. Although there may be other available units within the town centre the vast majority of vacant ground floor units are located within the core retail area. Some uses within class 2 will be more suited to ground floor premises than others due to the service that they provide, for example, an estate agent will generally advertise property for sale/to let within their windows which need to be visible at street level. Such requirements therefore restrict the number of potentially suitable premises for certain class 2 uses. In terms of marketing, the property has been advertised for retail use via a letting agent since it was vacated by the previous tenant in October 2013. There has been little or no interest from retailers in that time apart from a recent enquiry from an estate agency, which has prompted the submission of this application. It is therefore considered that the owner has made sufficient efforts to attract a retailer, without success. In summary, it is considered that the proposal meets with the requirements of policy SC2 and would make a positive contribution to the town centre by bringing a vacant unit back into use.

#### Scottish Planning Policy

- 7.4** This states that planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into the town centre. The planning system should encourage a mix of uses to support vibrancy, vitality and viability throughout the day and into the evening. The SPP recognises that there can be concerns about the number or clustering of some non-retail uses, and indicates that where a town centre strategy identifies a need for constraint of particular uses in the interests of character, amenity or well-being

of communities, local development plans should include policies to prevent clustering or overprovision.

#### Vitality and Viability

- 7.5** Like many other town centres, Dumbarton High Street has suffered a decline in the quantity and variety of shops in recent years, due primarily to the loss of retail expenditure to out of centre locations. This has affected the vitality and viability of the town centre. Class 2 uses are defined within the use classes order as financial, professional and other services which are appropriate to provide in a shopping area and where the services are provided principally to visiting members of the public. Like retail, such uses also contribute to the vitality and viability of a town centre by having customers who visit the premises and who may also use other facilities within the town centre while there. In this way, class 2 uses can provide alternative or additional reasons for members of the public to visit the town centre.
- 7.6** Scottish Planning Policy supports a mix of uses within town centres and recognises that they should not be just for retail uses. Within Dumbarton High Street there is already a mix of uses including a significant number of Class 2 uses, which can be broken down as follows:
- 4 estate agents
  - 6 banks
  - 2 betting shops
  - 2 solicitors
  - 2 loan shops/1 pawnbrokers
  - 6 other services

Nonetheless, it is not considered that there is an undue concentration of class 2 uses within the High Street. Whilst there is a preference for further Class 1 uses in order to address the decline in the town centre's retail offer, Class 2 uses also contribute to the character, viability and vitality of the town centre by providing services to visiting members of the public.

- 7.7** In recent months the Scottish Government has responded to criticism about the perceived proliferation of certain types of Class 2 uses, specifically betting shops and payday lenders, and has updated Scottish Planning Policy to allow planning authorities to consider the impact of such uses on the economic wellbeing of the community. However, any decision to refuse such uses would require to be supported by a strategy, policy or other evidence regarding the negative impacts which might arise in that particular case. The Council is currently working with the Scottish Government and Glasgow City Council on a pilot project related to the Scottish Government's Town Centre Action Plan to develop a robust evidence base and planning position in the form of Supplementary Guidance to support its position on payday loan and betting shops planning applications and appeals. Although this project is still at a very early stage it is considered that the intention behind the project and future supplementary guidance is still relevant to the current application. There are currently 2 betting shops, 2 loan shops and 1 pawnbroker within the High Street. One of the loan shops is located in the ground floor unit adjoining the application site and one of the betting shops is located nearby

on the opposite side of the road at 105 High Street. Granting consent for any use within Class 2 would mean that this unit could also be used as a betting shop or pay day loan shop, which would lead to a small cluster of these uses within the core retail area. Given the recent acknowledgement by the Scottish Government of the impact that these types of Class 2 uses have on the economic wellbeing of the community it is considered appropriate in this instance to restrict the use of the property. A condition can be used to prevent the property being used as a pay day loan shop/betting shop/pawn brokers while still allowing other class 2 uses such as an estate agents, solicitor's office, dental surgery etc. The applicant is agreeable to this as it would still widen the range of potential uses for the property and therefore increase the likelihood of finding a tenant.

## **8. CONCLUSION**

- 8.1** The proposal involves a non-retail use within the core retail protection area, however, there is limited demand for retail floor space at this time and the proposal would bring a vacant unit back into use and would complement the existing uses within a mixed area of the town centre. Restricting the use of the unit so that it could not be used as a betting office, pay day loan shop or pawn brokers would ensure that the development would not have a detrimental impact on the economic wellbeing of the community. It is considered that the proposal would therefore contribute positively towards the vitality and viability of the town centre and can therefore be justified in terms of the policies of the adopted local plan and proposed local development plan.

## **9. CONDITIONS**

1. Notwithstanding the terms of the Town and Country Planning (Use Classes)(Scotland) Order 1997, or any subsequent order amending, revoking or re-enacting that Order, this consent does not allow the premises to be used as a betting office, pawnbrokers or pay-day loan shop, unless a separate application for planning permission is submitted.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 13 April 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
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**Appendix:** None

**Background Papers:**

1. Application documents and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire LDP - Proposed Plan
4. consultation responses
5. Scottish Planning Policy

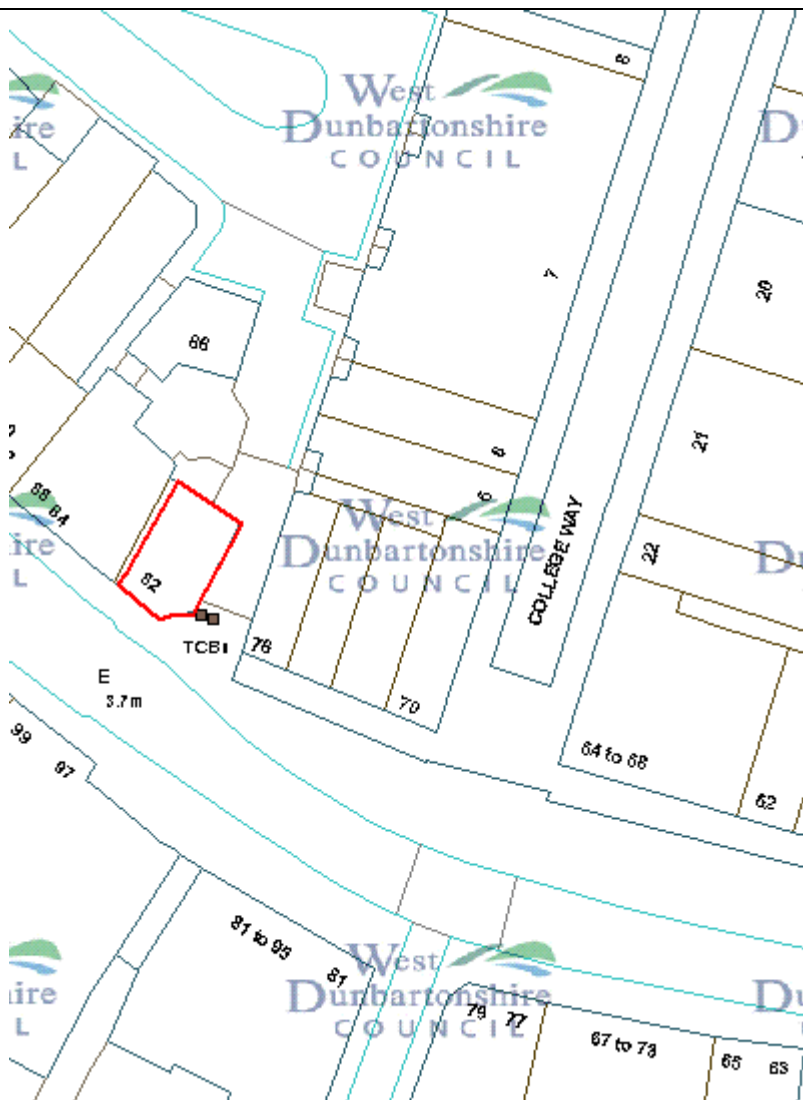
**Wards affected:**

Ward 3 (Dumbarton)

DC15/011

Change of use of retail  
premises from Class 1 to  
Class 2

82 High Street  
Dumbarton  
G82 1PQ





## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 29 April 2015

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**Subject: Green Network Supplementary Guidance**

#### **1. Purpose**

- 1.1** To seek approval of draft Supplementary Guidance on the Green Network.

#### **2. Recommendations**

- 2.1** It is recommended that the Committee approve the draft Supplementary Guidance on the Green Network set out in Appendix 1 for consultation.

#### **3. Background**

- 3.1** Under the new Development Planning system, Local Development Plans are encouraged to be concise documents with matters of detail contained within Supplementary Guidance. The Local Development Plan refers to a number of areas for which Supplementary Guidance will be prepared, including the Green Network.

#### **4. Main Issues**

- 4.1** Within the Local Development Plan open spaces and playing fields are protected from development by Policy GN1. Policy GN2 requires development to follow the Integrating Green Infrastructure approach to design by incorporating SuDS, open space, paths and habitat enhancement at a level proportionate to the scale of development and in accordance with Supplementary Guidance.

- 4.2** The draft Supplementary Guidance on the Green Network is set out in Appendix 1. It has three main parts.

##### Part 1

- 4.3** This section of the Supplementary Guidance sub-divides the planning authority area into green network sub-areas and identifies key green network assets, gaps and opportunities for each sub-area, which could be enhanced through developer contributions obtained through the approach set out in Part 2.

##### Part 2

- 4.4** This section sets out the principles for embedding the green network within the design of new development. These are:
- Protect the existing green network
  - Understand the wider green network

- Integrate green infrastructure into the design process
- Create new green and open spaces as part of the development
- Enhance the functionality and biodiversity value of existing assets
- Link to the existing network
- Contribute financially towards off-site projects
- Look long-term towards future management and maintenance

**4.5** The guidance sets out which types of development it expects to contribute towards the green network. The level of contribution will be proportionate to the scale and impact of that development on the green network. Residential development has the greatest impact on the green network by way of increasing user demand, and so is the focus of the Supplementary Guidance. However it also recognises that commercial and industrial development can impact and enhance the green network. The proposed approach is best summarised by the table below which is extracted from the Supplementary Guidance.

TYPES OF PROVISION	Residential development (units)			New commercial or industrial development
	1-9	10 -49	50+	
Layout to include landscaping and setting	✓	✓✓	✓✓	✓
Green and Open Spaces incl. play spaces and equipped areas	×	✓	✓✓	×
Access Networks e.g. walkable link to green network	✓	✓	✓	✓
Water Management e.g. SUDS	✓✓	✓✓	✓✓	✓✓
Habitat Networks e.g. biodiversity	✓	✓	✓	✓
Off-site contribution/delivery	✓✓	✓	✓	✓
× not required ✓ required where need/opportunity identified ✓✓ required				

**4.6** The contribution required towards green network enhancement from new residential development will be ascertained with regard to three standards: accessibility, quality and quantity.

**4.7** The **accessibility standard** is that everyone will live within 250 metres walk of a 0.2ha usable greenspace, play space or natural/semi-natural space. This distance is based upon an estimation of how far a child or older person could walk in 5 minutes. The distance is not based on ‘as the crow flies’, but on a ‘network analysis’ based on streets, paths and access points to open spaces. This standard will be used to determine whether open space provision will be required on-site or a contribution sought towards off-site provision or enhancement. For example, if a development site is not within 250 metres walk of a 0.2 ha usable space, then depending on the size of the

development, open space would be sought on-site. If however, 0.2ha open usable space exists within 250 metres, then a contribution may be sought towards its enhancement if this is assessed as appropriate.

- 4.8** The **quality standard** is that all publicly usable open spaces will have be of a higher quality than the threshold set out in the Council's Open Space Strategy (2011). This has two purposes: to identify where investment is needed in existing spaces, and to ensure new spaces meet or exceed the quality standard. For example, where a new development is within 250 metres of an open space which scores below the quality threshold, then an option will be to seek a contribution towards the improvement of the quality of that space rather than seeking on-site provision.
- 4.9** The proposed **quantity standard** for new development is that all new housing developments should provide or have access to 15 sq.m of open space per person. This will be calculated based upon the number of proposed bedspaces within a development rather than using an average household size. This is considered to be fairer as under previous approaches a 5-bedroom home would have required the same open space contribution as a 1-bedroom flat.
- 4.10** These standards will require that new developments will either have or be within 250 metres of a good quality, reasonably sized open space. This will be achieved through on-site provision or through investment in a nearby existing site.
- 4.11** In circumstances where the full quantity of open space required is not being provided on-site, and therefore a contribution to an off-site open space is sought, this has been set at £30 per square metre. This figure was calculated through determining the cost of the creation of a theoretical multi-functional open space, and has been tested for reasonableness with regard to different sizes of development. Contributions will be paid to the Council and ring-fenced for projects identified in Part 1 of the supplementary guidance or for other projects agreed by Planning and Building Standards and Greenspace services, with all projects serving the key purpose of ensuring that accessibility, quality and quantity standards are met.

### Part 3

- 4.12** This section sets out design guidance for the Integrating Green Infrastructure approach. Integrating Green Infrastructure puts green infrastructure (open space, paths, biodiversity features, SuDS etc) on an equal footing with other infrastructure types (waste, water, energy and transport) and ensures that green infrastructure provision is integrated early into the design process.
- 4.13** Specific design guidance is provided for creating usable open spaces, access networks, water management and bio-diversity and habitat networks.

#### Next steps

- 4.14** The draft Supplementary Guidance will be published for a minimum 6 week consultation period, beginning in early May. It will be made available on the internet and in libraries, and relevant organisations such as community councils, housebuilders and greenspace organisations will be directly informed of its availability. Consultation responses will be reported back to the Committee along with a finalised version of the Guidance. Thereafter it will be submitted to the Scottish Ministers before being adopted as Supplementary Guidance.

### **5. People Implications**

- 5.1** There are no personnel issues associated with this report.

### **6. Financial Implications**

- 6.1** The approach set out in the Supplementary Guidance is likely to result in an increase in the frequency and amount of developer contributions towards the enhancement of open spaces that will be held and spent by the Council. A special suspense account(s) will be set up for contributions to be held in until suitable projects are ready for implementation.

### **7. Risk Analysis**

- 7.1** There are no known risks associated with this report.

### **8. Equalities Impact Assessment (EIA)**

- 8.1** The Supplementary Guidance is not considered to raise any equality issues.

### **9. Consultation**

- 9.1** During the preparation of the draft Supplementary Guidance there have been workshops with Elected Members, the Council's Greenspace staff, Scottish Natural Heritage and the Glasgow and the Clyde Valley Green Network Partnership. The Supplementary Guidance will be consulted on and the responses received reported back to Committee.

### **10. Strategic Assessment**

- 10.1** The Proposed Plan covers a wide range of topics and is considered to contribute to the Council's strategic priorities and in particular towards:
- Local housing and sustainable infrastructure.

**Richard Cairns**

**Executive Director of Infrastructure and Regeneration**

**Date: 15 April 2015**

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**Appendices:** Appendix 1: Draft Green Network Supplementary  
Guidance

**Background Papers:** None

**Wards Affected:** All

## SG02 Our Green Network





This document complements Chapter 8 of the West Dunbartonshire Local Development Plan. It provides further detail on the Integrating Green Infrastructure (IGI) approach referred to in Policy GN2 and sets out the standards that will be expected of different types of new development in terms of open space provision.

The guidance is split into three parts:

**Part 1 – Where is our Green Network**

In order to safeguard the green network in West Dunbartonshire it is necessary to define it. A mapping exercise has been undertaken to highlight the green networks within West Dunbartonshire and their most important assets. Also identified are the key opportunities to enhance the green network, for example by improving access or habitat networks.

**Part 2 – Enhancing and Expanding Our Green Network**

This section sets out the principles for embedding the green network within the design of new development. It also includes the open space accessibility, quality and quantity standards that will be required and the mechanisms that will be applied to determine the level of provision or financial contribution expected in order to enhance and expand the green network.

**Part 3 – Design Guidance**

This section sets out what the Council is looking for in terms of the design and layout of new development sites, starting with the process of appraising the site in the context of the existing network.

**Further copies of this guide can be downloaded at:  
[www.west-dunbarton.gov.uk/planning-building-standards/](http://www.west-dunbarton.gov.uk/planning-building-standards/)**

**For further advice please contact Planning and Building Standards on 0141 951 7941 or visit the offices at  
Council Offices, Aurora House, Aurora Avenue, Clydebank.**

# Contents Page

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## Introduction

Introduction • What is a Green Network? • What is the Value of a Green Network? • Planning and the Green Network • West Dunbartonshire Local Plan 4-6

## Part 1—Identifying Assets and Opportunities

Introduction • The Green Network in West Dunbartonshire • The Vale of Leven • River Leven Corridor • Strathleven Estate • Bonhill • Renton and Alexandria • Haldane and Jamestown • Dumbarton, Milton and Bowling • Leven Gateway • Dumbarton North East • Clyde Corridor (West) • Old Kilpatrick and Clydebank • Clyde Corridor (East) • Duntocher Burn Corridor 7-27

## Part 2—Enhancing and Expanding our Green Network

Introduction • Principles for Embedding the Green Network • Development Types • Open Space Standards for Residential Development • Accessibility Standard • Quality Standard • Quantity Standard • How will these Standards be Used • On-site Provision for Residential Developments • Developer Financial Contributions 28-35

## Part 3—Design Guidance

Introduction • Planning Application: Information Requirements • Location and Size • Connections • Function of Green Infrastructure • Details of Provision • Design Criteria: Usable Open Space • Design Criteria: Access networks • Design Criteria: Water Management • Design Criteria: Biodiversity and Habitat Networks • Stewardship over Time • Enhancing Through Temporary or Advanced Greening • Pre-Application Discussions 36-44

## Appendices

Appendix 1—Six Worked Examples (Using the Quantity Standard • Using the Quantity Standard for Small Sites • Accessibility Standard: On-site Provision or Financial Contribution • Using the Quantity Standard for Large Sites • Not all of Site is Accessible? • Looking at Quality Standards) 45-52

Appendix 2—Developers Flow Chart

Appendix 3—Assessment Sheet for Green Infrastructure Function 36-56



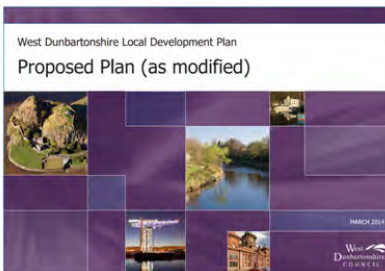
# Introduction

## Introduction

West Dunbartonshire has an outstanding natural environment. This environment has shaped, and been shaped by, the area's history, and defines West Dunbartonshire as a place today. It is vital to future prosperity and wellbeing. The area boasts a wide variety of parks and gardens, play space and sports areas, woodland, natural and semi-natural green spaces and other open spaces which together form a valuable green network.

The **West Dunbartonshire Local Development Plan's strategy** for this green network is to safeguard the existing network and to ensure new development enhances and expands it by improving existing open space assets, the connections between them and by creating new multifunctional green and open spaces.

The **purpose** of this supplementary guidance is to define the green network in West Dunbartonshire and identify its existing assets and opportunities; outline the principles for embedding the green network at the heart of new development; and to define the open space standards that will be required of new development and how these standards will be achieved.



The Local Development Plan

## What is a Green Network?

**Green infrastructure** is the 'green' and 'blue' features of natural and built environments. They can provide naturalised water management, useable open space, active travel routes and habitats for wildlife.

**Green networks** are connected areas of green infrastructure and open space that together form an integrated and multi-functional network (Fig.1).

## What is the Value of a Green Network?

Open spaces can have value in a number of ways:

- as habitats for biodiversity;
- as active travel routes;
- locations for sport and recreation;
- areas for the management of water; and
- in defining distinctive and attractive places in which to live, work and visit.

The most valuable open spaces are those which are **multi-functional**, which possess more than **one value**, and are **connected** to other spaces and to where people live, allowing people and wildlife to move around.

Green networks can provide a range of beneficial outcomes, including economic, environmental, climatic, health and social improvements (see [p4, Green Infrastructure: Design and Placemaking, 2011 \(Scottish Government\)](#) (for more detail on this).

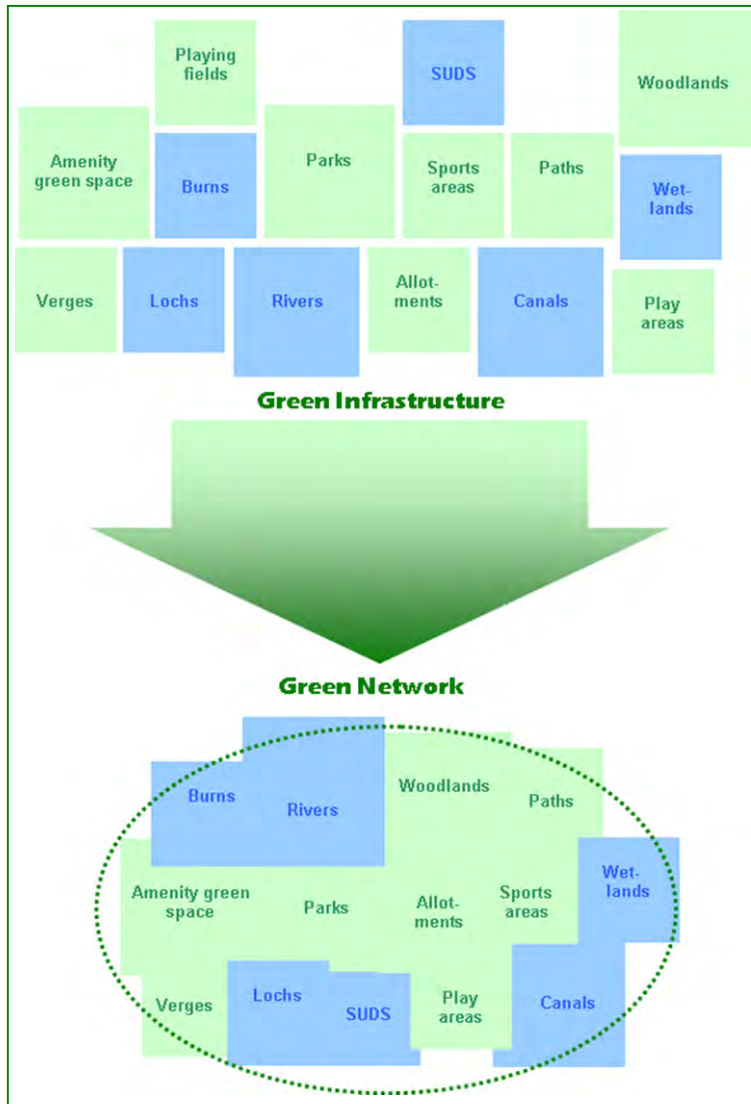


Fig 1 Illustration showing the relationship between green infrastructure and the green network

## Planning and the Green Network

The planning system is a key mechanism for delivering the green network. In turn, the green network can help deliver the aims of the planning system.

### National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP)

NPF3 and SPP share a **single vision** for the planning system in Scotland in seeking to create high quality places and increasing sustainable economic growth. Four planning outcomes explain how planning should support this vision. These are: a successful, sustainable place; a low carbon place; a natural resilient place; and a more connected place. The green network can contribute to these outcomes by helping to support sustainable economic growth and regeneration; the creation of well-designed sustainable places; reducing our carbon emissions and adapting to climate change; and helping to protect and enhance our natural assets.

SPP states that planning should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking.

The **Central Scotland Green Network** is identified as a national development in NPF3. It seeks to deliver a step change in environmental quality to address disadvantage and attract investment, whilst sustaining and enhancing biodiversity, landscape quality and wider ecosystems.

### Glasgow and the Clyde Valley Strategic Development Plan

The green network in the Glasgow city region is a fundamental component of the SDP's Spatial

**“Planning should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking.”**

SPP, para 220



Canal at Miller Street, Clydebank

**Our Green Network**

Development Strategy. The Green Network is part of a long-term strategic solution to a complex array of environmental demands in the city region and central to the area's economic competitiveness and social well-being.

Action in delivering the green network in Glasgow and the Clyde Valley has been prioritised and the Clyde Waterfront, encompassing Dumbarton, Old Kilpatrick and Clydebank, is identified among the SDP's Green Network spatial priorities.

### West Dunbartonshire Local Development Plan

The West Dunbartonshire Local Development Plan takes on board the strategic framework and priorities of the SDP and reflects these at a more **local level**, by putting in place a strategy and policies for the protection, enhancement and expansion of the green network.

The Green Network is identified as one of twelve **Changing Places** that the Council wants to see change over the next 5 – 10 years. The key corridors and assets which make up the Green Network are highlighted in Map 13 of the LDP. In line with the SDP, the Green Network in West Dunbartonshire is largely centred on the Clyde Waterfront, but with additional focus on the Vale of Leven corridor, identified at the local level as having a distinct green network with significant opportunities for future expansion and enhancement.

The **Plan's strategy** for the green network is to (i) safeguard the existing green network; and (ii) ensure development enhances and expands the green network by creating new multifunctional green and open spaces, and improves existing green network assets and connections between them. This strategy is supported by policies GN1 and GN2. Page 79 of 152



### Our Green Network

#### Policy GN1

Development which would result in the loss of an open space which is, or has the potential to be, of quality and value (to be considered in relation to further information and detail which will be provided with supplementary guidance) will not be permitted unless provision of an open space of equal or enhanced quality is provided within the development or its vicinity.

The proposals map identifies publicly accessible open spaces that are greater than one hectare, but Policy GN1 protects all playing fields and open spaces of value to the green network, as together these open spaces, including smaller spaces not shown on the Proposals Map, form the green network.

#### Policy GN2

Development will be required to follow the Integrating Green Infrastructure approach to design by incorporating SUDS, open space, paths and habitat enhancements at a level proportionate to the scale of development and in accordance with Supplementary Guidance.

The **Integrating Green Infrastructure** approach has been developed by the Glasgow and the Clyde Valley Green Network Partnership and puts green infrastructure on a par with transport, water, waste and energy as the critical infrastructures for successful placemaking. It focuses on the delivery of the green network by identifying, at the early stages of the design process where quality, multi-functional, open spaces should be retained, enhanced and provided.

# Part 1—Identifying Assets and Opportunities

## Introduction

West Dunbartonshire comprises three main urban areas: the Vale of Leven (Renton, Alexandria and Bonhill); Dumbarton (including Milton and Bowling) and Clydebank (including Old Kilpatrick).

A key purpose of this **supplementary guidance** is to develop further the mapping carried out for the SDP and LDP, to show in greater detail where West Dunbartonshire's existing green network can be found, in order to allow opportunities for expansion and enhancement to be explored. The following section describes the existing green network assets within each settlement, and using an annotated aerial map, highlights some of the development opportunities identified in the Local Development Plan that can help to develop the green network.

## The Green Network in West Dunbartonshire

The Rivers Leven and Clyde form the spine of the green network in West Dunbartonshire. The Leven corridor and the Clyde Waterfront and key green network locations such as the Dalmuir wedge, the Saltings and Overtoun are linked through the urban area to the Kilpatrick Hills and the muirs to the west of the Vale of Leven by paths, burns and habitat corridors including the Forth & Clyde Canal and the national cycle route.

By mapping existing green assets and networks, 3 distinct corridors have been identified; the Vale of Leven; Dumbarton, Milton and Bowling; and Clydebank and Old Kilpatrick. These corridors are shown on Map 1 along with a list of the local green networks.



**Fig 2 Key corridors and features of the green network**

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# The Vale of Leven

The Vale of Leven is flanked by the muirs to the west and the Kilpatrick Hills to the east. Through the middle of these landforms runs the River Leven, which starts at the southern end of Loch Lomond to the River Clyde at Dumbarton. The main settlements of the Vale of Leven are Alexandria and Renton on the western side of the Leven, and Bonhill to the east. These settlements lie alongside the river and are mainly constrained within the valley floor.

Five distinct **local scale** green networks have been identified which together form the green network in the Vale of Leven.

## 1. River Leven Corridor

The River Leven runs through the centre of the Vale of Leven and is a key feature of the green network in West Dunbartonshire. Movement within the River Leven Corridor is predominately north/south, with pedestrian crossing points within the Vale of Leven limited to Balloch Road and Lomond Road in Balloch, Bonhill Bridge and two further footbridges linking Renton to the Vale of Leven Industrial Estate and Jamestown with Alexandria.

### Key Features

- The National Cycle Route (NCR) 7 runs along the west side of the River Leven and is well used for recreation and active travel. It acts as a spine, with adjoining east/west routes linking the corridor to the hills through the urban area. Formal pedestrian routes along the east bank of the Leven are limited in extent.

- The River Leven is a migratory route for lamprey and Atlantic salmon, which are the qualifying species of the Endrick Water Special Area of Conservation (SAC) further upstream. A number of important habitats – including Local Nature Conservation Sites – lie alongside the river, including grasslands at Ballantines and Dillichip, Dalquhurn Point and Fishers Wood. In addition to their biodiversity value, these serve to make large parts of the river corridor an attractive setting and location for recreation, despite the area's industrial heritage.
- A barrage controls the flow of water from Loch Lomond down the River Leven and there are a number of steep, wooded burns that run down the hills east and west towards the Leven. Parts of the River Leven Corridor are identified as potentially vulnerable to flooding.

### Opportunities for Enhancements

- The River Leven can be seen as a barrier to east/west movement across the river corridor. One location where this is keenly felt is at the Black Bridge between Bonhill and the Vale of Leven Academy. The bridge is currently closed as it is unsafe. Reinstating a crossing point here would greatly enhance connectivity within the Vale of Leven, particularly as an active travel route to the school. In the same vein, improving the A82 bridge over the River Leven for pedestrians would also benefit connectivity and active travel.



Bonhill Bridge

Picture courtesy of [geograph.org.uk](http://geograph.org.uk)

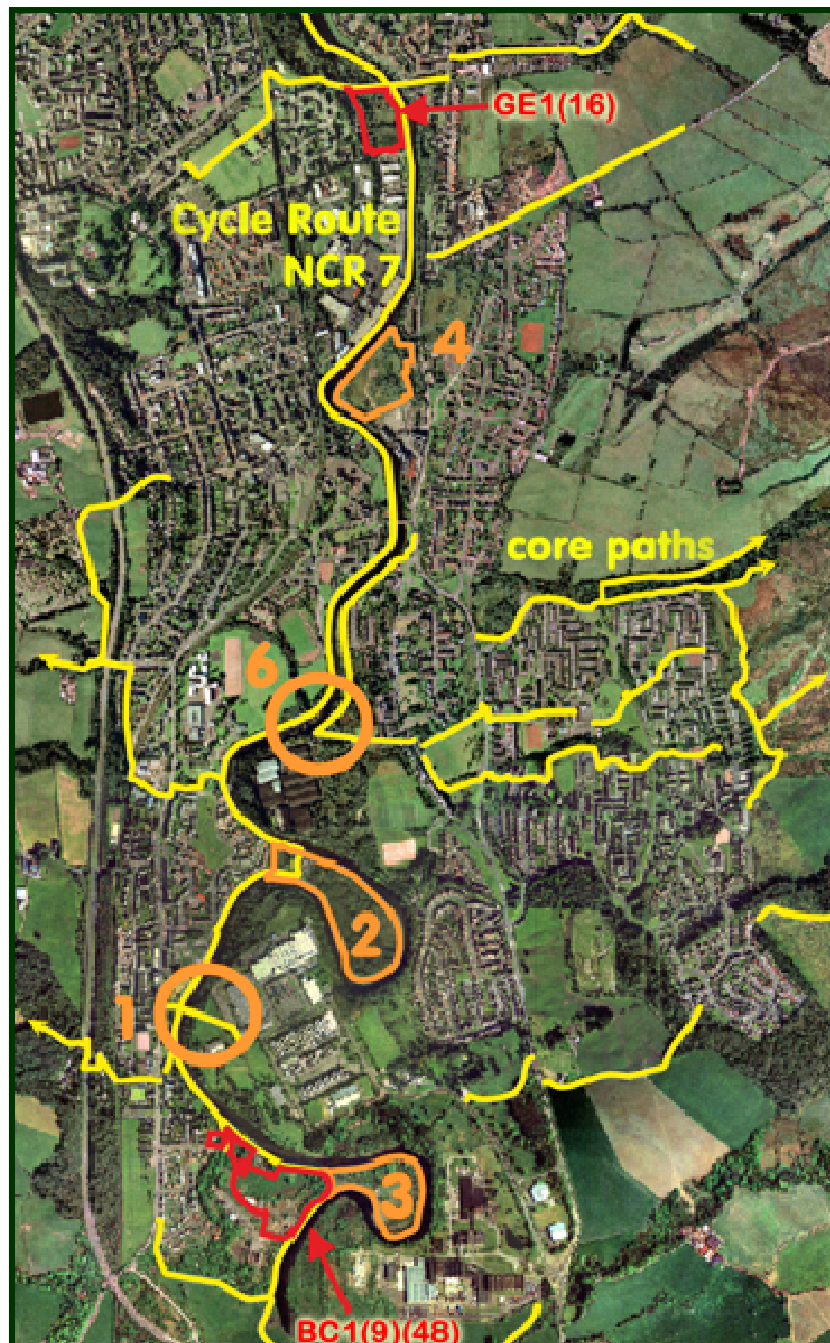
- Various lades alongside the River Leven have become nesting sites and represent good opportunities for habitat improvement, particularly for breeding birds. Further opportunities exist for pond creation at Cordale and Dalquhurn Points.
- A significant area of green space – over 4.5ha – sits next to the River Leven on the east bank adjacent to the Turnberry Homes development, Willowbank Gardens. This site currently has limited green network functionality and represents an opportunity for enhancement.

#### **Development Plan Opportunities**

- BC2(9)+(48) Dalquhurn
- GE1(16) Lomond Industrial Estate

#### **Opportunities: River Leven Corridor**

- 1 Improving access over river
- 2 Habitat improvement at Cordale Point
- 3 Habitat improvement at Dalquhurn Point
- 4 Functionality enhancement on east bank of Leven at Bonhill
- 5 Improved pedestrian access on A82 bridge over Leven (off map)
- 6 Improving access over Black Bridge



## 2. Strathleven Estate

Situated on the eastern side of the River Leven, the Vale of Leven Industrial Estate (VoLIE) is set within a mature landscape of the former Strathleven Estate, on an area of low lying land on the bend of the river. It is primarily in use for a mix of industrial and business uses. The landscape includes elements of the former Strathleven Estate planting, including avenue trees and structural planting. The A-listed Strathleven House and associated coach house and dovecot are located within the industrial estate and there is housing to the north. The new Lomondgate business park lies to the south.

### Key Features

- Strathleven contains large areas of mature mixed woodland on the boundaries of the industrial estate, providing an impressive backdrop to the estate. The majority of the woodland blocks are concentrated along the western edge of the estate, following the river meander.
- Features of a designed landscape associated with Strathleven House remain. The house operates as a business centre but its coach house and dovecot are ruinous.
- The estate is well used for walking and over 2km of the path network was upgraded in 2013;
- The sloping banks of the River Leven provide a good habitat for a range of species.



Strathleven House

### Opportunities for Enhancements

A Green Network Enhancement Study has been prepared for the Vale of Leven Industrial Estate which proposes a number of opportunities for enhancement around placemaking; enterprise and regeneration; environment; and stronger communities. Opportunities for enhancements include:

- Enhancing the setting of Strathleven House and Designed Landscape, with a range of recreational opportunities for employees, local people and visitors, including the creation of a new park celebrating the area's link with Robert the Bruce.
- Improving access to the River corridor, both visually and physically, and the attractiveness of the footbridge over the river to Renton.
- Flood protection measures and Sustainable Urban Drainage Systems (eg. rainwater harvesting and recycling, a site-wide SUDS strategy, new SUDS wetlands areas)
- Enhancing and expanding areas of native woodland through woodland planting and management to prevent further fragmentation, improve biodiversity value and strengthen the landscape structure of the site.

### Development Plan Opportunities

- GE1(1) - GE1(5) Vale of Leven Industrial Estate





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### Opportunities: Strathleven Estate

- 1 Flood protection measures/SUDS
- 2 Woodland planting and biodiversity enhancement
- 3 Opportunity for new park to celebrate link with Robert the Bruce
- 4 Enhance the setting of Strathleven House
- 5 Improving access over river to Renton

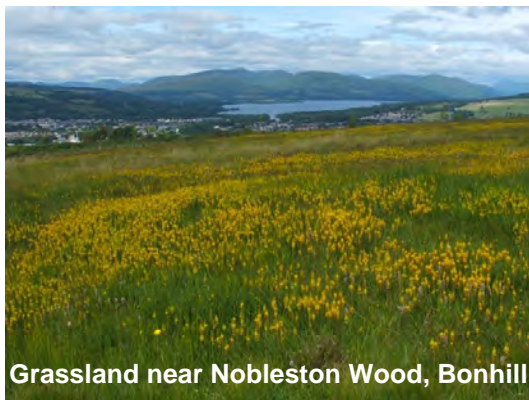


### 3. Bonhill

Bonhill is sited on the eastern bank of the River Leven, with the distinction made between 'Old' Bonhill, focused around Main Street, and 'New' Bonhill, the housing built in the 1960s and 70s which extends up the hillside. There are significant areas of open space in Bonhill, mainly south of Old Bonhill at Dillichip. Bonhill has been identified through Green Network opportunities mapping as one location in West Dunbartonshire where there is greatest opportunity to deliver multiple green network benefits.

#### Key Features

- Dillichip Loan is an important access route, albeit the Black Bridge over the River Leven is no longer in use. Beyond this, east/west connections are good through Bonhill, leading to several access points into the Kilpatrick Hills.
- Dillichip Park provides formal sports pitches adjacent to Dillichip Grassland – an identified local nature conservation site noted as a wet woodland habitat and very important in terms of habitat connectivity.
- Pappert Well Community Woodland is an important resource to the east of New Bonhill on the fringes of the Kilpatrick Hills, although it does suffer from anti-social behaviour.



Grassland near Nobleston Wood, Bonhill

Picture courtesy of [geograph.org.uk](http://geograph.org.uk)

#### Opportunities for Enhancements

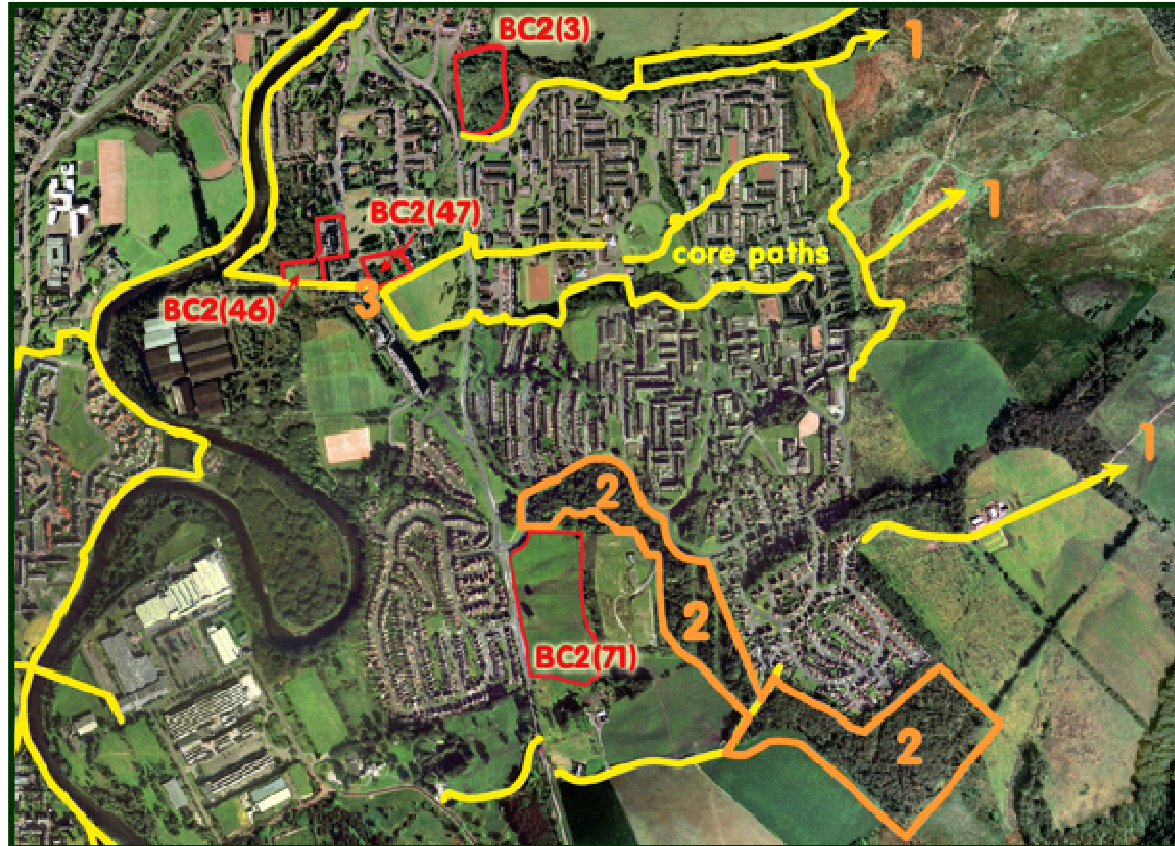
- Pappert Woodland remains an opportunity for enhancing woodland and grassland habitats and opportunities for recreation. Improving the quality of access and boundary interfaces with residential areas is of key importance.
- There is limited management of the woodland to the south of New Bonhill (Croft Huggan, Beech Wood and Broomhill Wood) and no formal recreational access, therefore significant potential to improve the woodlands as green network resource for the local population exists.
- A canalised watercourse running alongside Main Street is prone to overtopping during heavy rainfall events, flooding the road due to the amount of water and the sudden right-hand bend that the channel takes at the south-western edge of Ladyton Field. An opportunity may exist for a soft engineered solution to this issue that will bring about additional green network benefits.

#### Development Plan Opportunities

- BC2(3) Bonhill Quarry
- BC2(46) Bonhill Primary School
- BC2(47) Croft Street/Ranglan Street
- BC2(71) Stirling Road

### Opportunities: Bonhill

- 1 Improving access to Pappert Woodland and enhance existing habitat
- 2 Active management and recreational access to woodlands at Croft Huggan, Beech Wood and Broomhill Wood
- 3 Soft engineered solution to localised flooding at Ladyton Field



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#### 4. Renton and Alexandria

Renton and Alexandria are two adjoining settlements characterised by their linear nature, being bounded to the west by the A82 and the North Clyde railway line and to the east by the River Leven, a configuration which provides barriers to east/west movement. Analysis which mapped green network opportunities in West Dunbartonshire identified Renton and Alexandria as a location where there were significant issues with quality and functionality of the current Green Network but also opportunities for its enhancement and expansion.

##### *Key Features*

- Christie Park and Argyll Park provide extensive areas of open space to the north of Alexandria town centre. Christie Park is one of four 'flagship' parks in West Dunbartonshire (identified in the Open Space Assessment and Audit), comprising of formal lawns, gardens and woodland. Argyll Park provides a good quality play area and well- maintained football pitches.
- To the south of the area, Wylie Park in Renton is a large area of open space predominately used for football.
- There are four access points to the western muirs from Renton and Alexandria, either over or under the A82. The crossing to the north within the National Park forms part of the John Muir Way.

##### *Opportunities for Enhancements*

Analysis of strategic green network opportunities in Renton and Alexandria found that communities identified as being without access to usable open space,

did have areas with potential to address the situation. These areas are residential amenity spaces which are largely mown grass with the potential to deliver far more recreational, aesthetic and biodiversity value than they currently do. A number of specific opportunities were identified, including:

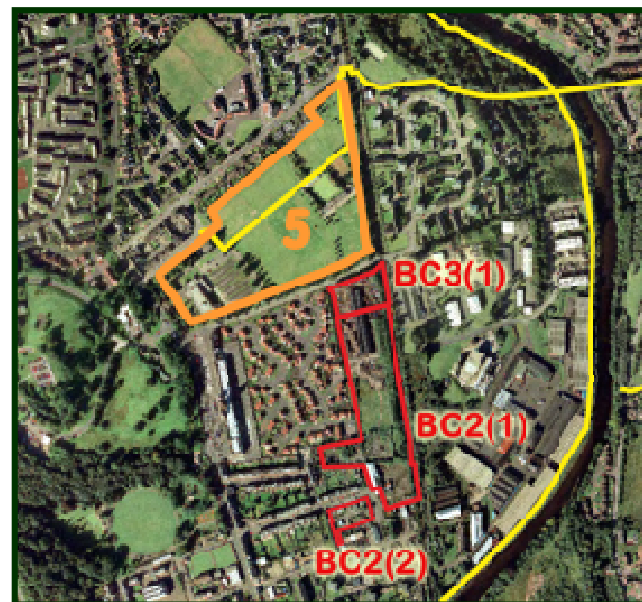
- Place of Bonhill Park: potential to be a focal point for Renton with reinvestment and on-going maintenance to reinvigorate the park, replacing infrastructure such as lighting, picnic benches and the boardwalk.
- Cordale Avenue Space: the area to the north is very wet with obvious maintenance problems and could support new wetland, woodland and grassland habitats making the space more biodiverse, visually appealing and reduce the maintenance implication; tree planting could be extended across the site; enhancements to the games court for older children and teenagers; natural play provision including through re-profiling of the topography in some areas.
- Vale of Leven Academy: provision of public access and biodiversity improvements would have significantly positive benefits for the green network.
- Wylie Park: creation of a path network, supplemented by seating and bins. Peripheral areas could be taken out of a mown grass regime and new habitats created.
- Argyll Park: opportunities to address access points, poor internal access and low biodiversity and aesthetic appeal.



Christie Park, Alexandria

### Development Plan Opportunities

- BC2(1) + BC3(1) Heather Avenue, Alexandria
- BC2(2) + BC2(70) Wilson Street, Alexandria
- Alexandria Town Centre
- BC2(50) John Street Depot, Renton
- BC2(9) + (48) Dalquhurn
- BC2 (49) Village Square



### Opportunities: Renton & Alexandria

- 1 Investment in Place of Bonhill Park
- 2 Wetland, woodland and grassland habitats at Cordale Avenue space
- 3 Public access and biodiversity improvements beside the Vale of Leven Academy
- 4 New path network and habitat creation at Wylie Park
- 5 Improve access points and biodiversity at Argyle Park

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## 5. Haldane and Jamestown

Haldane and Jamestown lie to the north of Bonhill and Dalmonach. Haldane is predominately a residential area and its housing stock has undergone (and continues to undergo) significant regeneration in recent years. Alongside the construction of new housing, the area's main open spaces have also been upgraded. Jamestown adjoins Haldane and includes a number of industrial premises and a large sawmill. Local residents in Jamestown have previously suggested there is a lack of play facilities for children in the area, despite the relative proximity of Inler Park – indicating an element of separation between Haldane and Jamestown.

### Key Features

- Inler Park sits adjacent to Haldane Primary School and is an extensive, multi-functional open space which delivers a number of green network benefits.
- Brown Street is primarily a civic space at the heart of Haldane. It has been upgraded with seating, play equipment and tree planting.
- The Mill of Haldane Green Corridor was a community-led environmental project to improve the visual appearance and perceptions of Haldane. Completed in 2005, it focused on the Ballagan burn, creating a new footpath to link the transport network and wider opportunities in Balloch; alleviating erosion and flooding issues; restoring wetland habitats; and increasing biodiversity.



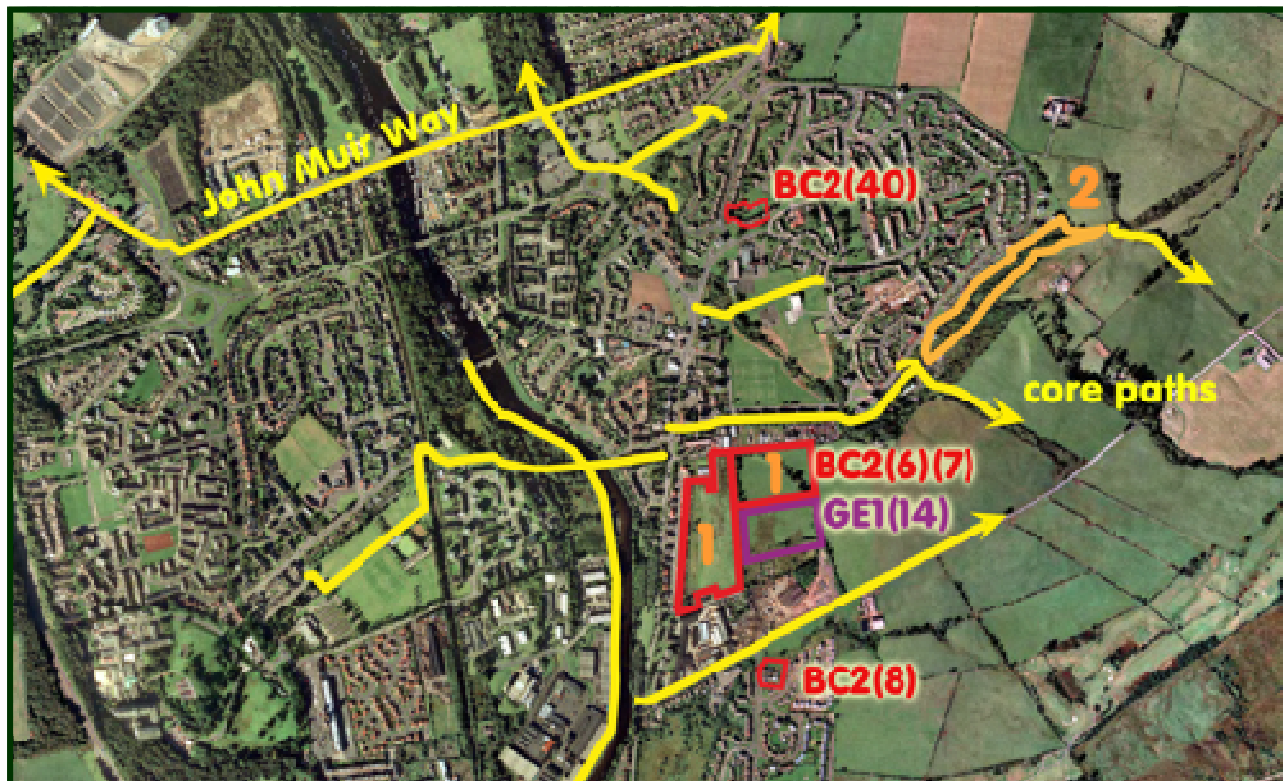
Inler Park, Haldane

### Opportunities for Enhancements

- A co-ordinated approach to open space provision and green network linkages should inform the layout of the two housing opportunity sites in Jamestown, BC1(6) and BC1(7). The two sites offer the opportunity to address a perceived shortfall in play facilities for children in the area by creating on-site open space which can be used by neighbouring properties, specifically the residents of Levenbank Terrace.
- Woodland to the south of Carmona Drive could be enhanced to improve biodiversity value and create a path network which links with nearby core paths.

### Development Plan Opportunities

- BC2(6) Levenbank Terrace, Jamestown
- BC2(7) Jamestown Industrial Estate
- BC2(40) Miller Road, Haldane
- GE1(14) Main Street, Jamestown



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### Opportunities: Haldane & Jamestown

- 1 Residential sites with requirement for open space provision/play facilities within layout
- 2 Enhance biodiversity value of woodland and link with nearby core paths

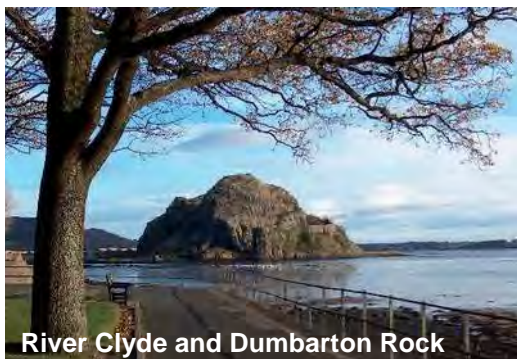
## Dumbarton, Milton and Bowling

Dumbarton lies on the north bank of the River Clyde, where the River Leven flows into the Clyde estuary. The town is at the intersection of two distinct strategic-scale green network corridors: a north-south corridor which connects Loch Lomond to the River Clyde and encompasses the Vale of Leven, and an east-west corridor between the Kilpatrick Hills and the Clyde which runs from Dumbarton via Bowling and Old Kilpatrick to Clydebank and then all the way into Glasgow city centre.

In addition to the networks described above, which extend into Dumbarton, three further **local scale** green networks form the green network in Dumbarton, Milton and Bowling.

### 6. Leven Gateway

At the mouth of the River Leven sits Dumbarton Rock, an iconic landmark which is of significant historical, cultural and geological value. Beside it, along Castle Road and Castle Street, former industrial sites – shipyards and a distillery – have been cleared, opening up an opportunity for redevelopment and re-establishing access to the river. Dumbarton town centre sits on the east bank of the River Leven and enjoys views to the castle and Levensgrove Park but does not embrace the waterfront as it might.



River Clyde and Dumbarton Rock

### Key Features

- Dumbarton Rock is designated as a geological Site of Special Scientific Interest and the castle is both a listed building and scheduled monument. A key visitor attraction, it offers stunning views over the Firth of Clyde and along the Vale of Leven to Loch Lomond and the Trossachs.
- Levensgrove Park is one of four flagship parks in West Dunbartonshire and provides good quality greenspace and recreational opportunities within a very special setting. A traditional Victorian park with large grassed events areas, the park has been successful in attracting a Heritage Lottery Fund grant. Over £2million will be spent on enhancing the park's historic features, creating new play, sports and cafe facilities and improving accessibility.
- The cycle route National Route 7 (NCR7) runs through the town centre, over the Dumbarton Bridge to the east side of the River Leven where it runs northwards to Loch Lomond.
- Where the River Leven joins the Clyde is the Inner Clyde Special Protection Area. This is an international designation with the qualifying interest being the wintering population of redshank.

### Opportunities for Enhancements (map 1)

- The Local Development Plan strategy for Dumbarton Town Centre and Waterfront includes the creation of a new pedestrian footbridge between the town centre and Levensgrove Park. The crossing would

significantly improve accessibility to open space from the town centre and has the potential to increase usage of the park.

- The core path network runs along both sides of the River Leven between the A82 and Dumbarton Bridge. On the east bank of the Leven, public access to the waterfront ends at Riverside Lane, with no link continuing to Dumbarton Rock. Aspirations for the development of Dumbarton Waterfront include a continuous path along the water's edge, which will link the town centre to Dumbarton Rock.
- Expanding on the concept of a riverside path, a green riverside park in this location could bring multiple green network benefits, including a water management role and act as a visual buffer at the foot of Dumbarton Rock.
- There are also aspirations to continue the path around the base of Dumbarton Rock to link with the foreshore of the River Clyde
- Redevelopment of the Sandpoint Marina site also provides the opportunity for continuous access along the waterfront, linking routes along the Rivers Leven and Clyde, capitalising on the site's unique setting.

#### ***Development Plan Opportunities (map 1)***

- Changing Places—Dumbarton Town Centre
- BC2(12)(55)
- BC2(14)
- BC2(17)
- BC2(74)



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#### **Opportunities: Leven Gateway (map 1)**

- 1 New pedestrian footbridge
- 2 Path along the water's edge
- 3 Green riverside park
- 4 Continuous access to foreshore of River Clyde from town centre
- 5 Network connections from West Dumbarton to Sandpoint and beyond





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### Opportunities: Leven Gateway (map 2)

- 1 Access improvements at A82 over River Leven
- 2 Cluster of sites with green network



Overtoun House, Dumbarton

### Opportunities for Enhancements (map 2)

North of the town centre, Townend sits adjacent to Meadow Park, Dumbarton Common and golf course. The area has a cluster of development sites with a great opportunity to deliver multiple green network benefits, specifically the creation of woodland, wetland and grassland habitats (to the west of the cluster) and open space enhancement (to the east).

### Development Plan Opportunities (map 2)

BC2 (11) and BC2 (72), BC3(2)  
GE1(6)

## 7. Dumbarton North East & Milton

To the north-east of the Leven Gateway the land begins to rise steeply towards the Kilpatrick Hills, north of the A82 trunk road. Bellsmyre, one of Dumbarton's largest housing estates, is a housing regeneration area surrounded by open space, including Dumbarton Cemetery and the Bellsmyre Grasslands Local Nature Conservation Site. A number of watercourses, including the Murroch Burn and Gruggies Burn, form important wildlife corridors incising the urban area. Also to the north of the A82, Milton lies to the east of Dumbarton (with Dumbuckhill Quarry between). Here another burn, the Milton Burn, cuts through an extensive area of open space.

### Key Features

- Located to the north of Milton, Overtoun Estate is recognised as a Garden and Designed Landscape of national importance. The estate is a large, mid-late 19th-century parkland landscape with picturesque burnside walks and remnants of a contemporary formal garden. Today, it is a well used gateway to the Kilpatrick Hills, with provision for parking.
- The area boasts an extensive core path network, linking Bellsmyre and Milton with Overtoun Estate and the Kilpatrick Hills and there are a number of circular routes. The paths are fundamental to the perception of a distinct green network in this location.

- The principal areas of native woodland within the Kilpatrick Hills are associated with estate landscapes and watercourses, particularly in their lower reaches, and there is significant native woodland cover in the area. In 2011, the Woodland Trust bought land at Maryland Farm, adjoining the Crosslet Estate and will plant over 200,000 native species to extend woodland cover, access and enhance biodiversity.

### ***Opportunities for Enhancements***

- The restoration of Dumbuckhill Quarry in the longer term provides the opportunity to deliver green network enhancements, including habitat creation and recreation. Integrating the quarry with the existing core path network will further improve options for walking.
- A number of housing opportunity sites identified by the Local Development Plan (see below), including at the Council offices on Garshake Road and Crosslet House; the rationalisation of the schools estate within Bellsmyre and the development of a new secondary school at Howatshaws Road all offer opportunities to enhance the green network in this part of Dumbarton.
- The Bellsmyre Grasslands LNCS has the potential to offer a very diverse and valuable habitat. Restoration as neutral grassland through scrub clearance and management would bring significant biodiversity benefits.

### ***Development Plan Opportunities***


- BC1(20) Crosslet House
- BC1(21) Milton Brae
- BC1(51) Valeview Terrace

- BC1(52) Auchenreoch Avenue
- BC1(53) Pennicroft Avenue
- BC1(54) Muir Road
- BC1(73) Garshake Road
- BC1(81) Aitkenbar Primary School
- BC1(16) Pinetrees



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### **Opportunities: Dumbarton North East**

- 1 Restoration of quarry
- 2 Bellsmyre Grassland biodiversity enhancement
-  Housing sites with green network opportunities

## 8. Clyde Corridor (West)

As a settlement, Dumbarton has a stronger relationship with the River Leven than it does the River Clyde and the Clyde waterfront from Dumbarton to Bowling remains mainly undeveloped. West of the River Leven, new housing within Kirktonhill on the site of the former Keil School is adjacent to the river but either side of this are large areas of open space: Havoc playing fields and Brucehill Cliffs to the west, and Levensgrove Park to the east. On the opposite side of the Leven, beyond Dumbarton Rock, a narrow coastal strip is bounded by a gas holder, sewage works, a railway line and bonded warehouses. Further east, the waterfront is bounded by the former Esso Oil terminal, Scott's Yard (a former shipyard), Bowling Harbour and the Bowling Basin site. At this point, the corridor between the Kilpatrick Hills and the River Clyde is particularly narrow, and the vacant sites, along with the A82, act as a barrier to connectivity between the river and hills.

### Key Features

- The Inner Clyde estuary consists almost entirely of tidal mudflats, covering over 1800 ha and extending 20km westwards from Newshot Island to Craigendoran Pier on the north shore and to Newark Castle on the south shore. In West Dunbartonshire, all inter-tidal land downstream of Queen's Quay in Clydebanks is designated as a Special Protection Area (SPA) and a Site of Special Scientific Interest. The Inner Clyde is important for wintering waterfowl, notably supporting an internationally significant population of redshank, (one of the highest density wintering populations of redshank in Britain), which qualifies the Inner Clyde as an SPA.



Bowling Basin, Bowling

- Brucehill Cliffs are of biological and geological interest and are identified as a Local Nature Conservation Site. The area hosts a number of grassland and butterfly species. The adjacent Havoc playing fields are well used but there are issues with fly-tipping and vandalism.
- Access along the Clyde shorefront is possible from the boundary with Argyll and Bute to the Sandpoint Marina site via core paths and for a short distance east of Dumbarton Rock before linking to NCR7.

### Opportunities for Enhancements

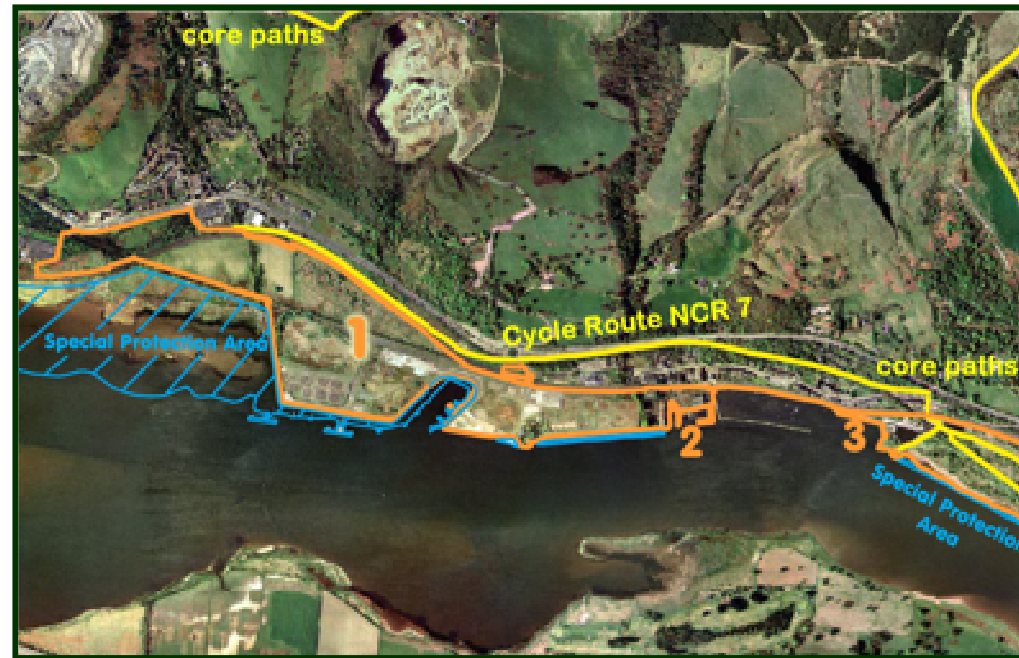
- Esso Bowling, and the adjoining Scott's Yard site, represent a major redevelopment opportunity, which is being progressed as part of the City Deal. Currently, there is no public access along the waterfront or to Dunglass Castle. The intertidal areas west of the Esso site are important in the context of the Inner Clyde SPA and represent a unique opportunity to allow for the coastal habitat to migrate inland in response to sea level rise. The LDP strategy for these sites makes provision for green infrastructure uses towards the western end of the site to provide a buffer between development and this important habitat area, with significant opportunities to enhance the green network.
- With the Forth and Clyde Canal, NCR7 and a former railway line running through it, the Bowling Basin site is already an important green network asset. The former railway line represents an opportunity to create a linear park through the site helping the site to become a focal point in the wider green network. Woodland adjacent to the River Clyde provides an opportunity for enhancement.



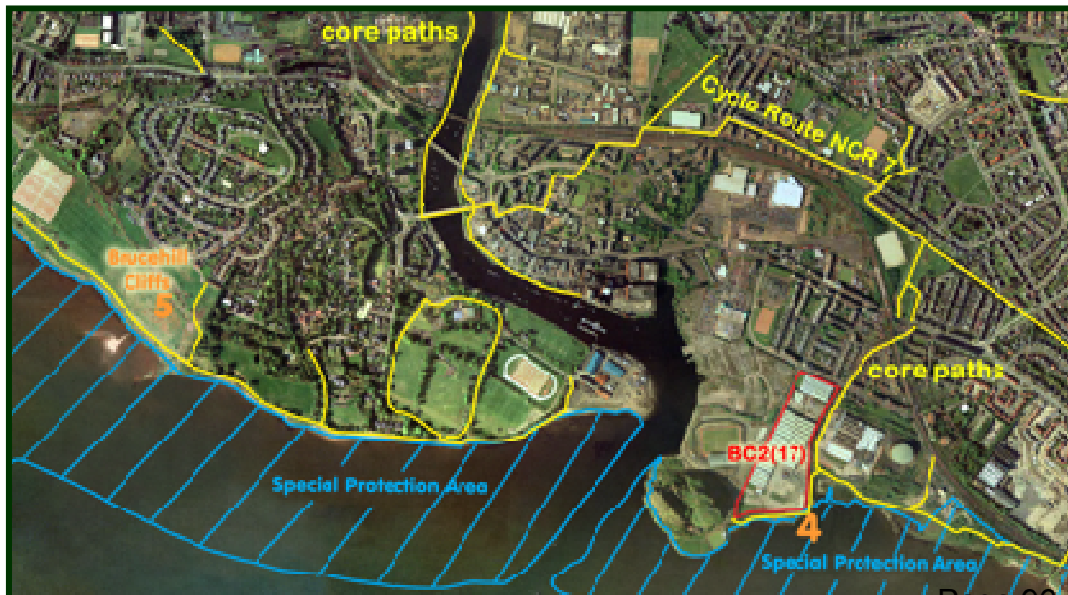
- On Castle Road BC2(17) is a housing opportunity site within the Dumbarton waterfront/Leven Gateway area but with an important frontage onto the River Clyde. Subject to a better understanding of how Redshank use the area, there is the potential to create an attractive environment here, with houses or apartments overlooking riverside open space, with improved linkages to the castle and incorporating the historic 'Sunderland' slipway.
- Brucehill Cliffs has potential as a Local Nature Reserve. Pond and wetland create and improved grassland and woodland management have been identified as ways of improving the local habitat network.

#### Development Plan Opportunities

- Esso Bowling (LDP Map 8)
- Bowling Basins (LDP Map 9)
- BC2(17) Shed 7, Castle Road



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#### Opportunities: Clyde Corridor (West)

- 1 Enhancing intertidal areas adjacent to Esso Bowling and provision through development of green infrastructure on site
- 2 Green infrastructure and improved access at Scott's Yard
- 3 Enhancing green network asset at Bowling Basin including linear park on former railway line and enhanced and managed woodland
- 4 Creation of attractive environment alongside river
- 5 Potential as local nature reserve

# Clydebank and Old Kilpatrick

Before 1870, the area which later became Clydebank was largely rural, and agricultural. It consisted of some villages (Hardgate, Faifley, Duntocher, Dalmuir, Old Kilpatrick), farms and estates. The town of Clydebank developed around the Thomson shipyard, built in 1871, and subsequently the Singer sewing machine factory and over time came to subsume these villages, creating the single settlement which is recognisable today. Like Dumbarton, Clydebank sits between the River Clyde and the Kilpatrick Hills.

Two local green networks are identified within Clydebank. The densely developed nature of Clydebank, particularly central and eastern parts, mean that green network 'stepping stones' and 'isolated green spaces' are particularly important. These include green spaces such as Boquhanran Park, Kilbowie Cemetery and the John Brown Recreation Ground.

## 9. Clyde Corridor (East)

The Clyde Corridor broadens out as it continues eastwards but public access and interaction with the river remains limited by inaccessible vacant sites (Carless and Queen's Quay) and existing industrial uses (including bonded warehouses and a water treatment works), although new development at Cable Depot Road and Cart Street has opened up the waterfront in these locations. The Saltings Local Nature Reserve in Old Kilpatrick is the only 'natural' environment alongside this stretch of the Clyde.



Forth & Clyde Canal, Clydebank

### Key Features

- The Forth & Clyde Canal could be considered to be a green network in its own right and is certainly a significant corridor within the wider green network. The canal runs from Bowling Basin to Whitecrook/Linnvale through Clydebank town centre and is well used from recreation (walking, cycling) and active transport. A number of crossing points means the canal doesn't act as a barrier to movement in perhaps the same way the River Leven does in the Vale of Leven.
- The Saltings Local Nature Reserves sits underneath the Erskine Bridge, bounded by the River Clyde and Forth & Clyde Canal. Managed by the Council and extending to 19 ha, the Saltings comprises areas of wildflower, woodland and salt marsh. A well constructed path network offers accessibility, including to wheelchair users.
- Lussett Glen is a key 'hub' in the green network in terms of connectivity, linking the Erskine Bridge, The Saltings, canal and Kilpatrick Hills. A new pavilion at the recreation ground, a play area and parking is to be provided.

### Opportunities for Enhancements

- Derived from a Green Network Strategy for the wider Clyde Waterfront, a specific project has been development focused on Clydeside Community Park. It seeks to improve north-south connectivity between the River Clyde adjacent to the Golden Jubilee hospital and the Forth & Clyde Canal and Dalmuir Park via the Duntocher Burn corridor. Stronger east-west links through the hospital grounds along a new waterfront path also form part of the project.
- Queen's Quay is located on the River Clyde to the south of Clydebank town centre. It is a major redevelopment opportunity, extending to over 41 ha, and enhancements to the green network will be expected, including waterfront access and linkages to the town centre.
- A walking and cycling route along both sides of the River Clyde from Glasgow city centre to the Erskine Bridge (and beyond) is a long standing aspiration of the South of Scotland Access Forum. This can be achieved through the development of sites like Queen's Quay and Carless.


### Development Plan Opportunities

- Queen's Quay (LDP Map 6) and Carless (LDP Map 7)
- BC1(35) Former Transfer Station
- BC1(59) Auld Street
- BC1(60) Beardmore Street East
- BC1(61) Boquhanran Road
- BC1(62) Caledonian Street
- BC1(68) 354 Dumbarton Road
- GE1(9) Clydebank Industrial Estate
- GE1(10) Cable Depot Road
- GE1(11) Clyde Gate



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#### Opportunities: Clyde Corridor (East)

- 1 Clydeside community park
  - 2 Waterfront access and connections to town from Queens Quay
  - 3 Development of walking/cycling route along river
-  Housing opportunity sites



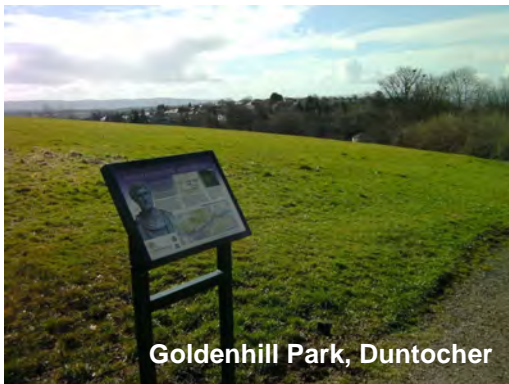
## 10. Duntocher Burn Corridor

The Duntocher Burn forms a corridor of varying width between the River Clyde and Duntocher. Tributaries which form a series of corridors through Faifley and Hardgate, extend down from the lower slopes of the Kilpatricks. The zone also includes a significant 'wedge' of undeveloped land separating Parkhall and Mountblow and incorporates Dalmuir Park, Dalmuir golf course and Auchentoshan Woods.

### Key Features

Auchentoshan Woods, Dalmuir Municipal golf course and Dalmuir Park together form the "Dalmuir Wedge" a green wedge within Clydebank, south of the A82, which is a significant green network core

- north to south. Dalmuir Park was originally a designed landscape and in 2012/13 a project was undertaken with Hertiage Lottery and Council funding to restore the park's historic features and create new facilities. It is the only park in West Dunbartonshire to achieve Green Flag Award status.
- Golden Hill Park in Duntocher is notable as the only site in West Dunbartonshire where the Antonine Wall is visible above ground. As the name suggests, the park is on a hill and is managed mainly as mown grass. Mature woodland sits alongside the Duntocher Burn in the northern part of the park.
- Faifley Knowes is a largely wooded area sitting between Hardgate and Faifley. The Knowes also include playing fields and a recently install play park and there is an aspiration for the area to be designated as a Local Nature Reserve. There is an extensive network of paths within the area.



Goldenhill Park, Duntocher

### Opportunities for Enhancements

- Faifley Knowes, Golden Hill Park and the Dalmuir Park are linked by a near continuous path along the route of Duntocher Burn. The path also extends into the Kilpatrick Hills (known as the 'Bankies Trek').
- South of the Forth & Clyde Canal, proposals have been drawn up to open up the burn to improve biodiversity (including the installation of a fish pass) and improve access. This would potentially create a route right through from the River Clyde to the Kilpatrick Hills.
- A project to improve Golden Hill Park forms part of a scheme to enhance the appearance and interpretation of the Antonine Wall in West Dunbartonshire. This would include improving paths within the park, the park's entrances and the area around the exposed rampart base of the Wall.


### Development Plan Opportunities

- BC2(25) William Street
- BC2(26) Old Mill Garage
- BC2(27) Hardgate Hall
- BC3(5) Auchentoshan (Care home)
- BC5(4) Auchentoshan (replacement school)



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### Opportunities: Duntocher Burn Corridor

- 1 Biodiversity enhancement of Duntocher Burn corridor
- 2 Duntocher Burn at River Clyde— access and connections
- 3 Enhancement of Golden Hill Park and presentation of Antonine Wall remains.
-  Housing opportunity sites



## Part 2—Enhancing and Expanding our Green Network

### Introduction

The Local Development Plan seeks to ensure that new development not only safeguards the existing green network but also enhances and expands it by improving existing green network assets, creating new green and open spaces and improving connectivity within the network.

Part 2 also includes the accessibility, quality and quantity standards that will be applied to determine the level of open space provision or financial contribution expected from new development.

### Principles for Embedding the Green Network

In order to safeguard, enhance and expand the green network, development proposals will be required to:

#### **Protect** the existing green network

- ✓ Green infrastructure and open spaces which currently exist on a site should be protected unless there is adequate mitigation which enhances the quality of the network elsewhere.

#### **Understand** the wider green network

- ✓ It is vital that development proposals look beyond the boundaries of individual sites, however large or small, to consider the broader spatial context and create a more coordinated and joined-up network.

- ✓ **Integrate** green infrastructure into the design process. The greatest green network benefits can be achieved if green infrastructure is considered integral to the development design process, rather than an afterthought once other elements have become 'fixed'. Pages 36-44 provides guidance on the design of green infrastructure elements.

- ✓ **Create** new green and open spaces as part of the development. Where development increases the number of people who would use and derive benefit from the green network, proposals should seek to extend the network through the creation of new green and open spaces.

- ✓ **Enhance** the functionality and biodiversity value of existing assets. The site appraisal and design process should identify opportunities to enhance the value of existing assets.

- ✓ **Link** to the existing network  
Green infrastructure and path connections on new sites should link up with the existing green network where possible.

- ✓ **Contribute** financially towards off-site projects  
In some instances the best way of achieving green network enhancement will be by making a financial contribution to projects beyond a site's boundary, for example upgrading a local play park or path network. Page 34 outlines the circumstance and level of contribution that may be required.



Vacant site at Main St, Jamestown

✓ **Look** long-term towards future management and maintenance. How green infrastructure and open spaces will be sustained should be considered from the outset. Without careful consideration being given to future management and maintenance of assets the range of benefits will reduce quickly over time. Page 43 considers stewardship.

### Development Types

Not all forms of development will have to contribute directly or indirectly to open space provision. The level of contribution expected will be **proportionate to the scale and impact** of that development on the green network. Developments with the greatest impact are those that increase user demands on the green network i.e. residential uses. Table 1 sets out these requirements and there is a flow chart in Appendix 2 which provides a quick guide to the expectations for provision of open space.

Each site presents unique opportunities and developers should engage with Planning Services at an early stage.

New build commercial and industrial developments should comply with the principles of good design set out in Policy DS1 and look for opportunities to provide amenity space, access links, SUDS and enhance biodiversity through planting.

The requirements for residential developments are based on an assessment of need and opportunity using the population size of the development and the standards of accessibility, quality and quantity.

TYPES OF PROVISION	Residential development (units)			New commercial or industrial development
	1-9	10 -49	50+	
Layout to include land-scaping and setting	✓	✓✓	✓✓	✓
Green and Open Spaces incl. play spaces and equipped areas	×	✓	✓✓	×
Access Networks e.g. walkable link to green network	✓	✓	✓	✓
Water Management e.g. SUDS	✓✓	✓✓	✓✓	✓✓
Habitat Networks e.g. biodiversity	✓	✓	✓	✓
Off-site contribution/delivery	✓✓	✓	✓	✓
× not required ✓ required where need/opportunity identified ✓✓ required				

Table 1 Matrix of types of development and indicative requirements

For some sites it will not be appropriate to form play spaces or equipped play areas and instead a financial contribution is expected (see Appendix 1, Worked Example 3). The form of the “Green and Open Space” should be influenced by the site and context. However, there is an expectation that major residential developments do provide an equipped play area if there is not adequate provision within 250m (see Appendix 1, Worked Example 4).

The Council’s “Residential Developments: Principles for Good Design” provides further guidance on residential layouts.



## The Open Space Strategy has a vision to have “attractive and sustainable open spaces with enhanced facilities, appearance and accessibility thereby promoting physical and mental wellbeing”

Section 3.1, Open Space Strategy, 2011



Pappertwell Right of Way, Bonhill

### Open Space Standards for Residential Development

In order to create a valued green network within West Dunbartonshire each component of the green network has to be “fit for purpose”, in other words, it is in a condition that can support its intended purpose and function. Three key measures are used to determine whether a component is “fit for purpose”. These are: **accessibility**, **quality** and **quantity**. The open space standards used in this guidance are based on these three measures and use the Council’s Open Space Audit (2011) and Open Space Strategy (2011) as the evidence base.

The open space standards are to be used:

- to inform developers what the minimum requirements are for sites;
- to prioritise works to provide/enhance facilities; and
- to identify areas where green spaces are not fit for purpose.

### Accessibility Standard

This is the principle measure and is about how close people should be to their nearest publicly usable open space. The Council is keen to ensure that the distance to open spaces takes into account the walking abilities of children and older people. It is assumed that a child would be able to walk 250m in approximately 5 mins and this distance forms part of the standard. Accessibility to different types of spaces is also important. The priority is to ensure that people have easy access to small “kick-about” spaces and multi-purpose spaces.

The accessibility standard is:

Everyone will live within a 250m walk of a 0.2ha usable amenity greenspace”, “play space” or “natural/semi-natural greenspaces

When carrying out a site appraisal, developers should assess the distance of these three types of open space relative to the site, providing details on plan form. The distances should not be “as the crow flies” but based on a network analysis using streets and paths, access points to open spaces and highlighting barriers to those spaces. For larger sites the network analysis should be measured from several points around the site.

### Quality Standard

The quality of a greenspace is an assessment-derived scoring based on work undertaken as part of the Open Space Audit carried out in 2011. It measures the quality of spaces against set criteria. The quality measure has two main uses: to identify where investment is needed in existing spaces, and to ensure that new spaces meet/exceed the quality standard. The quality standard is:

All publicly usable open spaces should meet or exceed the Threshold Score set out in Table 2.

Where a space is identified as being below the Threshold Score shown in Table 2 this indicates the quality of that space is below standard and requires investment. All new provision should at least meet the minimum threshold scores in Table 2. The Open Space Audit provides further details of how the score figures are reached for each site and can be used to “test” the quality of a proposal. The quality of existing sites can also be checked using the Audit.

TPOLOGY	Maximum Score	Threshold Score
Parks and Gardens	130	40%
Amenity Greenspace	100	20%
Play space	97	40%
Green (open space) corridors	50	40%
Natural/semi-natural greenspaces	114	30%

Table 2      Quality scorings for different typologies of open space (Open Space Audit (2011))



Quantity Standard

This is the amount of publicly available open space per population and is expressed as hectares (ha) per 1000 people. The standard for new developments is:

All new housing developments should provide/access 1.5ha of publicly useable space per 1000 people

This equates to **15sq.m per person** and allows amenity space, equipped play areas and natural/semi-natural greenspaces to be provided within a site where the accessibility standard identifies a need (i.e. by a network analysis of the surrounding area). **Every site should provide this quantity as a minimum or provide an equivalent financial contribution where agreed with Planning Services.**

This standard is in response to an analysis carried out of good open space provision on new development sites in the last 5 years, and seeks to work towards an objective of the Open Space Strategy to have 100% of all households within 5min of a 2ha greenspace. It also takes account of areas in West Dunbartonshire where there are high standards of open space per 1000 whilst seeking to boost provision in areas which have much lower levels.

The projected population of any development is calculated using the number of bedrooms. Developers should use Table 3 to work out the average occupancy for their site. Appendix 1 provides worked examples of how this is done.

Dwelling Size	Household size*	Quantity of Open Space
1 bed	1.3	15 x 1.3 = 19.5 sq.m
2 bed	1.9	15 x 1.9 = 28.5sq.m
3 bed	2.5	15 x 2.5 = 37.5 sq.m
4 bed	3.0	15 x 3.0 = 45.0 sq.m
5 bed	3.3	15 x 3.3 = 49.5 sq.m

Table 3      Average household occupancy based on Scottish Household Survey (2013)

Developments will also have to look at the green network opportunities identified in Part 1 to determine what form the open space should take to ensure a mix of play spaces and semi-natural green space, green corridor, etc. The Council seeks to ensure that people have good access to spaces which are at least 0.2ha in size. Where larger sites would provide more than this in open space it can be multi-functional and need not be one large area. For example, a Multi Use Games Area could be provided along with a flat open grassed area, or a woodland walkway could be combined with an equipped play area in another part of the site.





### How will these standards be used?

Accessibility, quality and quantity will be used to inform provision of open space for new development in West Dunbartonshire.

Developers will need to demonstrate that the amount of open space they propose on a site is based on an assessment of these measures.

Accessibility is a key objective for the Council so even if a development site is in an area which has a good general provision of open space, if these are not readily accessible from the site i.e. within 250m, then provision on-site will have to be made or works carried out to improve accessibility e.g. a footbridge over a river, new footpath connection.

### On-site Provision for Residential Developments

Open spaces should be designed into the proposal at an early stage in the process and the open space standards of accessibility, quality and quantity are used to determine what level of on-site provision there should be. Design Statements should be a record of the appraisal carried out of the existing green network and set out justification for the level of provision.

Each site is unique but the diagram in Figure 3 identifies the thought process applicable to all sites requiring on-site provision.

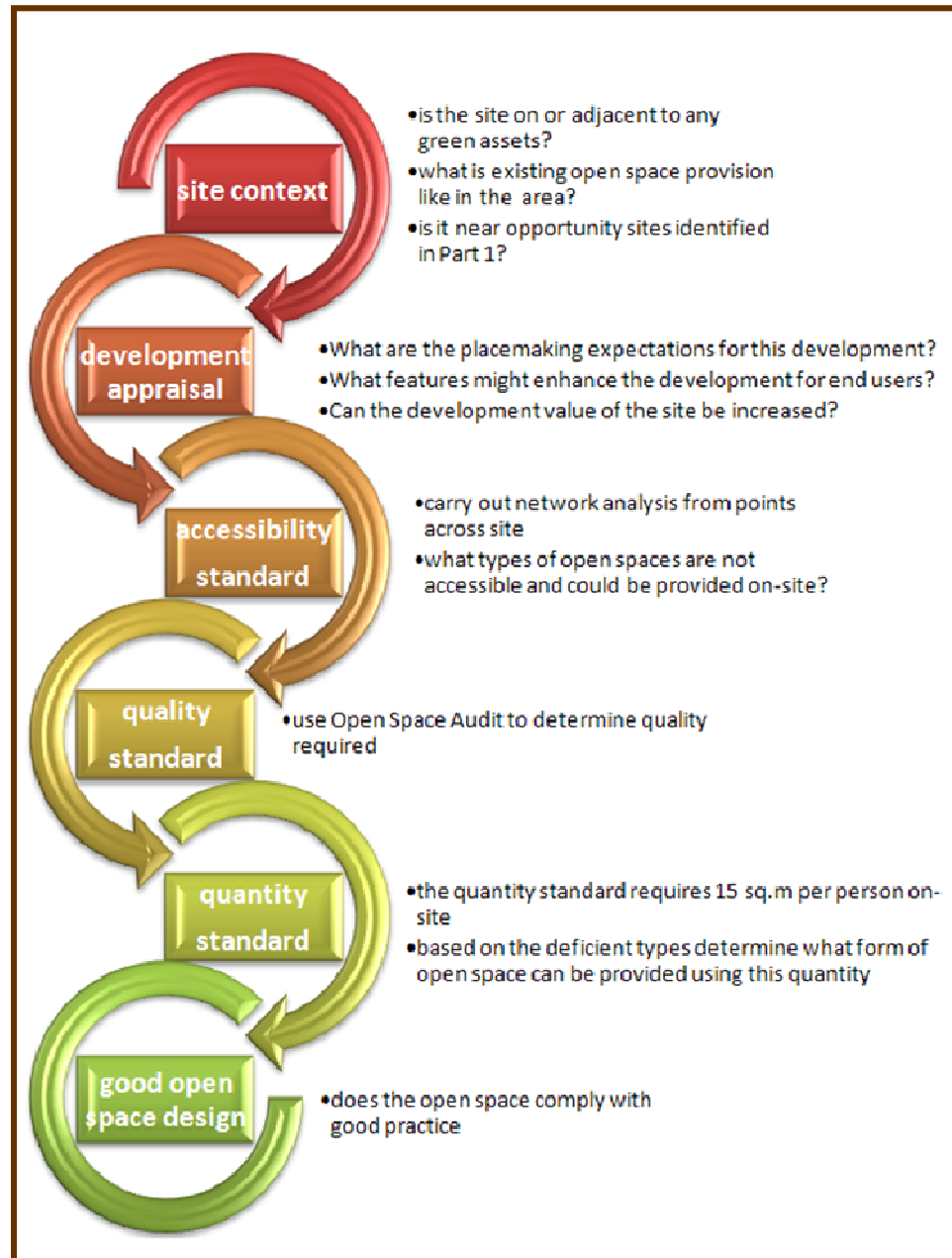


Fig 3 Diagram illustrating site appraisal and design process

**“Developers will need to demonstrate that the amount of open space they propose on a site is based on an assessment of these measures.”**

p33, GNSG



East End Park, Dumbarton

The worked example (1) in Appendix 1 demonstrates how to calculate on-site provision based on the projected population. A site of 80 units has to provide 4839 sq.m. This could be multi-functional spaces e.g. SUDS and wetland diversity with a kick-about space. Each site is unique and the Design Statement should demonstrate why particular typologies are promoted. Their location and design should reflect best practice and create viable spaces i.e. not fractured.

If a site doesn't wholly provide the required area then it may be possible in some instances to meet the shortfall with a financial contribution to enhance the green network nearby. This is discussed below. Opportunity sites identified in Part 1 and other projects agreed by Planning & Building Standards and Greenspace services will be preferred.

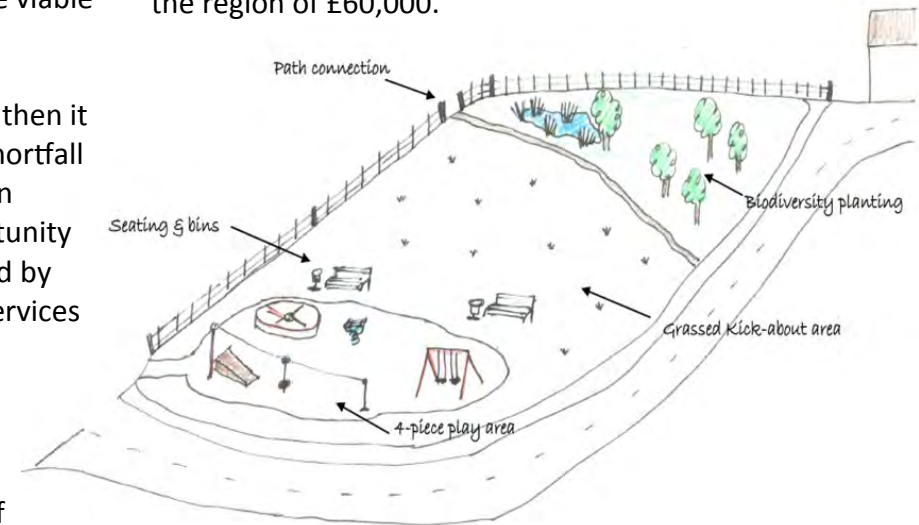
### Developer Financial Contributions

Developer contributions will apply in a number of situations:

- smaller sites of less than 10 units;
- where meeting the quantity standard for on-site provision is not appropriate, e.g within town centres or tenemental areas.; and
- where a site is accessible to open spaces but those spaces are of a poor quality
- Where sites are accessible to good quality open spaces but a contribution to the green network is required.

### What will the contribution be?

The contribution is a flat rate of **£30 for every sq.m.** of open space required for the site, equivalent to £450 per person. This figure is based on what it would cost to provide a facility 2000sq.m (0.2ha) in size which includes a small play park, kick-about area, biodiversity area and path connection. Excluding land costs, this would be in the region of £60,000.



To calculate the contribution the first step is to work out how much open space would have been required for the site using the quantity standard and estimated site population. For example, for 45 people at 15sq.m per person the area of open space would be 675sq.m. The off-site contribution would therefore be £30 x 675 sq.m - £20,250 (£450 per person).

Appendix 1 provides some further worked examples.

### Where will the contributions go?

Financial contributions will be paid to the Council and held in suspense accounts until suitable projects identified by Planning & Building Standards and Greenspace Services for enhancing the green network in the local area are ready for implementation.

### What is the mechanism?

Financial contributions can be made through either the section 69 of the Local Government Act or tied to the land title through a section 75 planning obligation (Town and Country Planning (Scotland) Act 1997 as amended by the 2006 Act. Discussions should be held with Planning Services at an early stage to discuss the most appropriate mechanism. In most instances financial contributions are required prior to any planning consent being issued.



Play park, Haldane



## Part 3—Design Guidance

### Introduction

Part 3 sets out the Council’s expectations for the design of new sites in order to maximise the benefits to the green network.

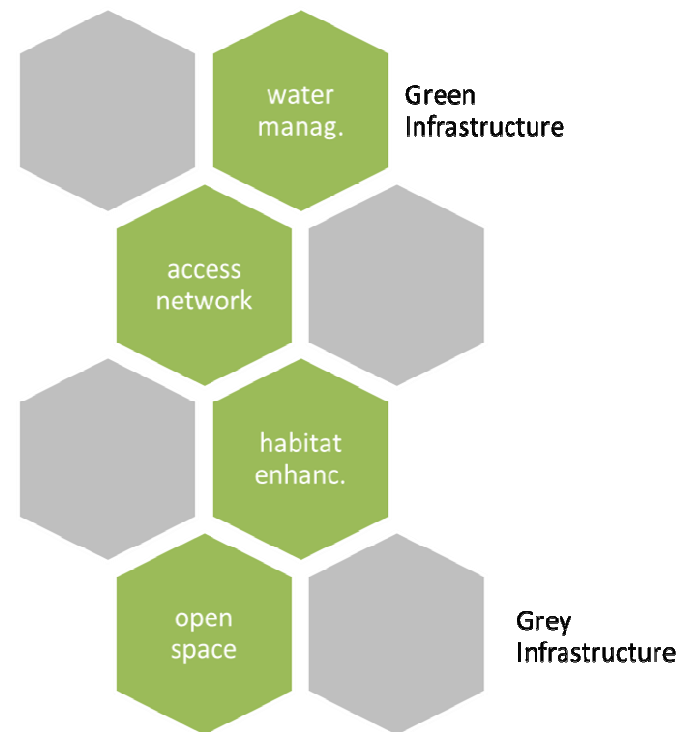
The Local Development Plan sets out within **Policy GN2** a requirement that the design of new development follows the Integrating Green Infrastructure approach and incorporate water management, access networks, habitat enhancements and open space within new development. Integrating these four green infrastructure components successfully will help to enhance and expand the green network.

The Integrating Green Infrastructure approach puts green infrastructure on an even footing with four other crucial infrastructures (water, waste, energy and transport – collectively referred to as ‘grey infrastructure’) which together are integral to the delivery of successful, healthy and vibrant places.

When designing the green infrastructure, consideration should be given to the six placemaking qualities: distinctive, welcoming, safe and pleasant, easy to move around, resource-efficient, adaptable. These are set out in more detail in **Policy DS1** of the LDP

#### Policy GN2

Development will be required to follow the Integrating Green Infrastructure approach to design by incorporating SUDS, open space, paths and habitat enhancements at a level proportionate to the scale of development and in accordance with Supplementary Guidance.



### Planning Application: Information Requirements

Successfully integrating green infrastructure into new development requires a firm understanding of the proposed site and its context. The possibilities for open space and other green infrastructure provision on a site are unique to that site and an appraisal of the site and its surroundings should be undertaken. Where a Design and Access Statement is required it should form part of that. For other sites an assessment in the form of a planning statement can be submitted.

Once a proposed development site has been appraised in the context of the existing and surrounding green network, consideration should be given as to how the necessary infrastructure – including green infrastructure – can be designed in a way that maximises benefit to the green network. Guidance on the four key green infrastructure elements is provided below.

The following information should be provided for the proposed green infrastructure as part of the Design and Access Statement/Planning Statement:

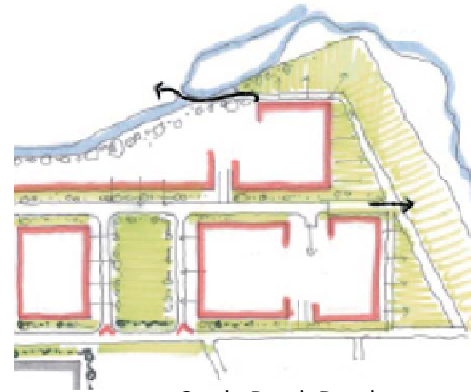
### 1. Location and Size

Include a scaled plan of the proposal using the B-plan approach advocated in Green Infrastructure: Design and Placemaking (Scottish Government publication, p20). This helps identify the relationship between buildings, public spaces and private spaces. Sizes of public spaces should be annotated onto plans.



### 2. Connections to existing green networks

Map the existing and proposed connections on a block plan.



Castle Road, Dumbarton  
(drawing courtesy of Ark Architecture)

### 3. Function of Green Infrastructure

The best value spaces are those which are multi-functional. The planning submission should include an assessment of function and Appendix 2 provides a useful checklist developed by Fife Council (shown below).

Functions of green infrastructure		New green infrastructure proposed through this development provides:		
		Major provision	Some provision	No provision
Active travel routes				
Opportunities for play				
Biodiversity				
Sport and recreation				
Landscape setting				
Drainage and flood alleviation				
Community focus				
Food production				
Enterprise opportunities				

### 4. Details of the provision

Include a breakdown of the green infrastructure required for the site and provide details. For example, planting schedules, path specifications, biodiversity values, hard surfacing, seating and litter provision.



Faifley Knowes

“... the design of new development [should] follow the Integrating Green Infrastructure approach and incorporate water management, access networks, habitat enhancements and open space within new development.”

p36, GNSG

## Design of Green Infrastructure

This section sets out the principles for designing Green Infrastructure into new development. These will be used to assess proposals submitted for planning permission.

### Design Criteria: Usable Open Space

Open spaces should be 'fit for purpose' and multi-functional. They should be designed with the following criteria in mind:

✓ distinctive landscape features or local habitats should be retained and enhanced to help form locally distinctive spaces;

✓ open spaces should have clearly defined public/private boundaries and features to prevent unauthorised vehicle access;



✓ a sense of ownership of spaces can be created through design, use of quality materials and community involvement at an early stage;

✓ open spaces should have no hiding places created by corners, fencing or landscaping and have good natural surveillance with properties overlooking. They should be well-lit, e.g. using downlighters, at key areas such as entrances;



✓ amenity open space around buildings should be appropriate to the scale of the building – larger, taller buildings require more

✓ children's play areas and kick-about spaces should be in a central location and not on the periphery of a site or positioned to the rear of dwellings;



✓ children's play areas should be robustly designed and meet the minimum quality standards set by the Council. The minimum size for a children's play area is 400sq.m and should contain at least 4 pieces of equipment;

✓ play areas should incorporate a variety of innovative play equipment. Detailing such as fencing, surfacing, seating, bins and signage should reflect characteristics and materials of the local area;



✓ multi use games areas (MUGAs) should be at least 680 sq.m and conform to Council standards;

✓ youth shelters should be sited not too close to footpaths so to avoid intimidation by users. Facilities and fittings should be suitable for their intended use and be robust;





## Design Criteria: Access Networks

A successful green network needs to have good connections between the different open spaces that exist in and around our settlements. New development has a role to play in this by ensuring that sites connect to the green network wherever possible.

When appraising the context of a site, consideration should be given to what existing green network opportunities exist and how the development site might connect to that green network. It could be by **direct linkages** e.g. opening up a path access, forming a semi-natural space next to an existing semi-natural space or having a green corridor which will extend an existing corridor than runs along an embankment. Alternatively, **indirect linkages** may be possible such as encouraging easy access through a site to an open space or extending a cycle route nearby.

Many of the opportunities identified in Part 1 are “connection opportunities”. It is realised that large parts of West Dunbartonshire do have open space but the access and green corridors are incomplete. Access and connections should be designed with the following criteria in mind:

✓ Paths need to reflect desire lines with minimal road crossings;

✓ Sites may require enhancing of existing path connections as well as forming new connections to improve accessibility to the green network:



✓ Path connections should be to destination points such as schools, shops and transport hubs with cycle parking at destination points to encourage cycling;



✓ The banks and margins of watercourses and canals often provide effective and attractive access routes for walkers and cyclists. Naturalised SUDS provide a similar feature and a potential location for active travel access routes separate from the road network;

✓ Paths should be Disability Discrimination Act (DDA) compliant where possible, and of a construction standard and width which is appropriate to the level of use. They should be designed to withstand water run-off or incorporate SUDS to improve drainage. Main routes should be to an adoptable standard, self-binding materials may be appropriate for low key routes;



✓ Paths should generally have wide verges and no vigorous growing plants to reduce sight lines or create hiding places. Entrances should be wide and avoid use of steps or steep grades;



The Council's supplementary guidance on Residential Developments provides further details on how sites can be integrated into their surroundings. Secured by Design provides good guidance on creating safe environments especially in relation to path location, width and use of landscaping.

### Design Criteria: Water Management

The Water Environment (Controlled Activities) (Scotland) Regulations 2005 require all surface water from new development to be treated by a sustainable drainage system (SUDS) before it is discharged into the water environment, except for single houses or where the discharge will be into coastal water.

SUDS help to protect water quality and reduce potential for flood risk by facilitating natural drainage of surface water run-off (including roof water). They encourage infiltration and attenuation to prevent and reduce pollution from diffuse urban sources and release capacity in water management infrastructure. If carefully designed and constructed these SUDS can be multi-functional green infrastructure elements, providing high amenity and biodiversity value.

Water management should be designed with the following criteria in mind:

- ✓ the Integrating Green Infrastructure approach starts by considering the 'water journey' through a development site;

- ✓ a surface water management plan can be created based on naturalised SUDS features as the building blocks for the spatial layout of the development proposal.

- ✓ surface water run-off from new development must be routed through SUDS before it is drained into the water environment;



- ✓ adequate space to accommodate SUDS must be included within site layouts, especially when considering applications for planning permission in principle.

- ✓ SUDS systems should be multi-functional, creating a positive and distinctive landscape setting and maximising the biodiversity value of a site;



- ✓ the design of SUDS should respond sensitively to site topography and landscape character.

Table 4 on page 41 illustrates some examples of SUDS solutions. Further detail on SUDS is provided in best practice guidelines issued by SEPA and CIRIA.


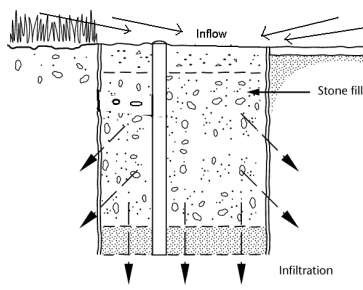





<p><b>Rain Gardens</b></p> <p>Shallow depressions planted with species able to tolerate short periods of inundation in free-draining soil. Slows rainfall run-off received from a downpipe or hard surface and offers some filtration.</p>		<p><b>Filter strips</b></p> <p>Vegetated, usually grassy, areas of broad, flat and gently sloping land over 1m wide which intercept rainfall run-off from a site as overland sheet flow. Can be planted with native plants to create useable open space including wildflower meadows</p>	
<p><b>Permeable (or porous) surfaces</b></p> <p>Including block pavers and some forms of concrete which allow water to drain through vertical holes or gaps between individual units. Allows run-off to percolate naturally into the ground or a collection chamber, reducing run-off from hard surfaces.</p>		<p><b>Bio-retention areas</b></p> <p>Landscapes shallow depression specifically to capture and remediate polluted run-of from roads and car parks. Reduces run-off at localised flooding. Can be formally landscaped with shrubs and herbaceous plants</p>	
<p><b>Swales</b></p> <p>Linear, shallow channels that specifically transport water, for example from one SUDS feature to another. Slows down run-off and allows natural infiltration into the soil.</p>		<p><b>Detention basins</b></p> <p>Vegetated basins which temporarily hold water allowing gradual infiltration into the soil and removal of pollutants. Potentially high ecological value.</p>	
<p><b>Ponds</b></p> <p>Permanent water bodies which can add significant value in terms of amenity and biodiversity. Over-engineered and fenced-off ponds should be avoided to ensure SUDS ponds are integrated into the landscape.</p>			

Table 4 Examples of different SUDS solutions

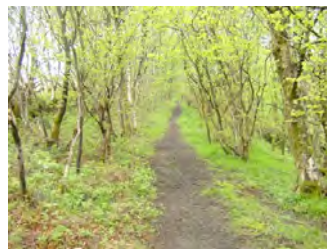


## Design Criteria: Biodiversity and Habitat Networks

Many sites will have opportunities to create/enhance habitats, create connections between those habitats or increase the biodiversity of the site through specific planting. A spatial planning tool known as the Integrated Habitat Network model is encouraged to be used to identify where wetland, woodland and grassland within a proposed development would be most beneficial allowing for integration of networks. More details of this can be found [here](#).

Sites should be designed with the following in mind:

- ✓ landscape design should be consistent with the wider landscape, e.g. continuation of an off-site woodland, formation of semi-natural grassland on rural fringes



- ✓ the site attributes of soil, topography and existing drainage should help determine what works best for a site;

- ✓ unsustainable habitat creation should be avoided;

- ✓ naturalised SUDS create opportunities to enhance and expand wetland and other habitats for biodiversity



- ✓ existing habitats should be retained and enhanced with interpretation boards to develop opportunities for education on-site



- ✓ existing habitats can be linked with wide green spaces or riparian corridors to address fragmentation

- ✓ there should be a balance between habitat protection and access. Some sites may need low impact design solutions, e.g. boardwalks in wetlands. Interpretation boards can be used to promote responsible access. Some routes may need to be designed to avoid disturbance-sensitive areas;



- ✓ specimen tree planting is encouraged in key locations such as entry points, along major paths or in public parks



- ✓ planting design should consider how to maintain seasonal interest and be linked with SUDS features;





✓ planting should mostly be appropriate native species with some selective non-native species e.g. beech hedging.



Planning conditions and legal agreements may be used to ensure that new developments provide details of the ongoing maintenance of sites. There are different options for management and maintenance depending on the tenure and nature of the site. For private housing the preferred method is that a requirement to maintenance and management of all common areas forms part of the land title for all owners of a site. Social housing sites will have to provide evidence of a regular maintenance contract.

In some cases the Council is willing to consider land transfer and adoption provided:

- the provision meets the relevant quality standards
- the developer pays all legal costs relating to the transfer of land
- a commuted sum is paid to cover the maintenance of the site for a period of (10/18/25/40 years).

### Enhancing through Temporary or Advanced Greening

Temporary greening of stalled development spaces offers opportunities to deliver social, environmental and economic benefits. Temporary greenspaces can:

- improve the appearance and reputation of an area
- contribute to the green infrastructure of an area
- provide safe and pleasant places for local people

The “Stalled Spaces” report by Greenspace Scotland looks at different ways in which temporary greening might be achieved.

### Stewardship Over Time

Well-designed green infrastructure should continue to deliver multiple benefits into the future. Consideration to how the various features of the green network is to be maintained will ensure that it remains ‘fit for purpose’.

Just as ‘grey infrastructure’ elements such as roads and drains require ongoing maintenance, as does green infrastructure. Many of the problems associated with the quality of existing open spaces reflect the lack of initial consideration given to funding and management mechanisms for effective long term management of green infrastructure. Good stewardship ensuring the local-term quality of green spaces is vital to a well-functioning green network.

Partnership working and agreements between public agencies and other organisations may be necessary to recognise the multi-functional nature of the green infrastructure and ensure that resources that would otherwise be spent on ‘grey’ infrastructure are allocated to the effective management of the green infrastructure. Applicants should demonstrate how their design proposals will be sustainably managed over the long-term including financial models for future funding of appropriate management and maintenance.



River walkway, Dumbarton West

Advanced greening relates to sites which have a planning consent and where there is an opportunity to install green infrastructure such as SUDS or advance greening such as landscaping or open space/habitat creation before any buildings are in place. This has the advantage of enhancing the development value (mature landscaping) and reduces the impact on neighbouring buildings through screening or visual improvement to derelict sites.

Where there are applications for planning permission in principle or masterplan proposals the opportunities for temporary or advance greening will be discussed in line with the local development plan.

### **Pre-Application Discussions**

Development Management encourages pre-application meetings with developers to discuss what would be appropriate for their site in terms of green network provision, based on the requirements set out in Part 2 of this guidance.

This discussion may include input from the Council's Greenspace and some of our other partners such as GCV Green Network, SNH and Forestry Commission. Furthermore, some of the most successful places involve the input of the local community from the outset and developers should look at ways to engage local people early in the process, including the use of charrettes or similar methods of community engagement.



Ossian Way, Clydebank

## Appendix 1—Worked Examples

## Using the Quantity Standard—Worked Example 1

A residential site proposes a mixed development of 80 units comprising flats, terraced, semi-detached and detached properties. There are two blocks of 12 flats consisting of 6 1-bed and 18 2-bed flats. There are 56 houses comprising a mix of eight 2-bed terraced houses, thirty 3-bed semi-detached houses and eighteen 4-bed detached properties. What is the expected occupancy and what should the minimum open space provision be?

All new housing developments should provide/access 1.5ha of publicly useable space per 1000 people

**STEP 1** – Work out the number of bedrooms.

Unit Type	Numbers of Units
1 bed	6
2 bed	26
3 bed	30
4 bed	18
<b>TOTAL</b>	<b>80</b>

**STEP 2** – Apply the average household size figures to the bedrooms using Table 3

Unit Type	Numbers of Units	Factor	Persons
1 bed	6	1.3	$6 \times 1.3 = 7.8$
2 bed	26	1.9	$26 \times 1.9 = 49.4$
3 bed	30	2.5	$30 \times 2.5 = 75$
4 bed	18	3.0	$18 \times 3.0 = 54$
<b>TOTAL</b>	<b>80</b>		<b>186.2 persons</b>

**STEP 3** – Add last column to get projected population and multiply this figure by the minimum quantity standard i.e.  
 $186.2 \times 15 \text{ sq.m} = \mathbf{2793 \text{ sq.m.}}$

This is the amount of open space to be provided for a development proposal of this size. The form of this needs to be determined using the site appraisal method.

## Using the Quantity Standard for Small Sites—Worked Example 2

A small housing opportunity site proposes a block of four one-bedroomed flats. What is the expected occupancy rate and the minimum open space provision?

**STEP 1** – Work out the number of bedrooms.

Unit Type	Numbers of Units
1 bed	4
2 bed	0
3 bed	0
4 bed	0
<b>TOTAL</b>	<b>4</b>

**STEP 2** – Apply the average household size figures to the bedrooms using Table 3

Unit Type	Numbers of Units	Factor	Persons
1 bed	4	1.3	4 x 1.3 = 5.2
2 bed	0	1.9	0
3 bed	0	2.5	0
4 bed	0	3.0	0
<b>TOTAL</b>	<b>4</b>		<b>5.2 persons</b>

**STEP 3** – Add last column to get projected population and multiply this figure by the minimum quantity standard i.e.

$$5.2 \times 15 \text{ sq.m} = \mathbf{78 \text{ sq.m.}}$$

This is the amount of open space to be provided. However it is a small site of less than ten units and the GNSG requires a financial contribution instead of providing on-site.

**STEP 4** – Multiply the open space provision by financial contribution rate of £30 per sq.m

$$78 \text{sq.m} \times £30 = \mathbf{£2,340}$$

For this site a financial contribution of £2,340 is required to help fund green network projects in the area, as identified in Part 1 of the GNSG or by the Council's Greenspace.

All new housing developments should provide/access 1.5ha of publicly useable space per 1000 people

Everyone will live within a 250m walk of a 0.2ha usable amenity greenspace", "play space" or "natural/semi-natural greenspaces

All new housing developments should provide/access 1.5ha of publicly useable space per 1000 people

Everyone will live within a 250m walk of a 0.2ha usable amenity greenspace", "play space" or "natural/semi-natural greenspaces

### Accessibility Standard: On-site Provision or Financial Contribution—Worked Example 3

The development site is a gap site within a built up area. It is 0.41ha in size and the proposal is to build a single block of flats. There is a mix of 15 one-bed and 30 two-bed flats. What would the developer be required to provide using the GNSG?

**STEP 1** – Using the flow chart in Appendix 2, the proposal is for more than ten units so the first step is to see if it meets the accessibility standard i.e. is it within 250m of a 0.2ha space? The site is not, so it is required to provide one on-site based on estimated population.

**STEP 2**—Work out the number of bedrooms and apply the average household size figures using Table 3.

Unit Type	Numbers of Units	Factor	Persons
1 bed	15	1.3	15 x 1.3 = 19.5
2 bed	30	1.9	30 x 1.9 = 57
<b>TOTAL</b>	<b>45</b>		<b>76.5 persons</b>

**STEP 3** – Add last column to get projected population and multiply this figure by the minimum quantity standard i.e.  
 $76.5 \times 15 \text{ sq.m} = \mathbf{1147.5 \text{ sq.m}}$

This is the amount of open space to be provided.

The site is in an urban area where a high density development is supported. the applicant has made a case for making a financial contribution to upgrade play equipment in a large park less than 400m walking distance. It is agreed that off-site provision is more appropriate in this instance so the contribution needs to be calculated.

**STEP 4** – Multiply the open space provision by financial contribution rate of £30 per sq.m, i.e  
 $1147.5 \text{ sq.m} \times £30 = \mathbf{£34,425.}$

Therefore for this site a financial contribution of £34,425 is required to upgrade play equipment in the park.

## Using the Quantity Standard for Large Sites—Worked Example 4

A large housing development is proposed for a greenfield site (5.15ha). It is close to an existing woodland and a path network which leads into the wider countryside. There are 115 dwellings proposed for the site, a mixed of detached, semi-detached and terraced properties. What would the developer be required to provide using the GNSG?

1 bed terraced	12
2-bed semi-detached	18
3-bed semi-detached	30
3-bed detached	25
4-bed detached	30

**STEP 1** - Using the flow chart in Appendix 2, the proposal is for more than ten units so the first step is to see if it meets the accessibility standard i.e. is the site within 250m of a 0.2ha amenity greenspace, play space or natural/semi-natural greenspace? The site is within 250m of a natural/semi-natural greenspace provided path links are made to connect into these areas from the site. In addition, there is an expectation that major residential developments provide an equipped play area if they are not within 250m of one (column 4, Table 1). The site appraisal identifies that there are no equipped play areas nearby. To meet the standards the site could combine provision i.e. have on-site provision and make an off-site contribution to make the woodland accessible.

**STEP 2** – Work out the number of bedrooms and apply the average household size figures using Table 3.

Unit Type	Numbers of Units	Factor	Persons
2 bed	30	1.9	30 x 1.9 = 57
3 bed	55	2.5	55 x 2.5 = 137.5
4 bed	30	3.0	30 x 3.0 = 90
<b>TOTAL</b>	<b>113</b>		<b>284.5 persons</b>

**STEP 3** – Add last column to get projected population and multiply this figure by the minimum quantity standard i.e.

$$284.5 \times 15 \text{ sq.m} = \mathbf{4267.5 \text{ sq.m}}$$

This is the total amount of open space required based on the estimated population. To provide on-site and make an off-site contribution this figure is split: a 0.2ha (2000sq.m) equipped play space will be provided within the site and the remainder will be a financial contribution to enhance access to and within the woodlands.

**STEP 4** – The off-site financial contribution to enhance access to and within the woodlands will be less the area of the equipped play space i.e.

$$4267.5 \text{ sq.m} - 2000 \text{ sq.m} = 2267 \text{ sq.m}$$

$$£30 \times 2267 \text{ sq.m} = \mathbf{£68,025}$$

The provision responds to the site context.

All new housing developments should provide/access 1.5ha of publicly useable space per 1000 people

Everyone will live within a 250m walk of a 0.2ha usable amenity greenspace", "play space" or "natural/semi-natural greenspaces



## Not all of the Site is Accessible? —Worked Example 5

A large housing development is proposed on a long, narrow site with the railway adjacent to the southern boundary. There are 104 dwellings proposed on the 2.8ha site: a mix of detached, semi-detached, terraced and flatted properties. What would the developer be required to provide using the GNSG?

All new housing developments should provide/access 1.5ha of publicly useable space per 1000 people

Everyone will live within a 250m walk of a 0.2ha usable amenity greenspace", "play space" or "natural/semi-natural greenspaces

All publicly usable open spaces should meet or exceed the threshold score set out in Table 2.

**STEP 1** - The proposal is for more than ten units so the first step is to see if it meets the accessibility standard i.e. is it within 250m of a 0.2ha amenity greenspace, play space or natural/semi-natural greenspace? The site is within 250m of a large park and recreation ground which is in need of an upgrade. However the railway separates the site from the park so that the walking distance is greater than 250m for most of the site except the flatted properties to the west. Improving connections by building a bridge is too expensive so some on-site provision is required. There is an expectation that major residential developments provide an equipped play area.

**STEP 2** – Work out the number of bedrooms and apply the average household size figures using Table 3.

Unit Type	Numbers of Units	Factor	Persons
1 bed	24	1.3	$24 \times 1.3 = 31.2$
2 bed	26	1.9	$26 \times 1.9 = 49.4$
3 bed	38	2.5	$38 \times 2.5 = 95$
4 bed	16	3.0	$16 \times 3.0 = 48$
<b>TOTAL</b>	<b>104</b>		<b>223.6 persons</b>

**STEP 3** – All the 1 bed flats (24) are within 250m of the play area so need to be excluded from the calculation of amount of on-site provision required i.e. subtract 31.2 persons from the total:

$$223.6 - 31.2 = 192.4 \text{ persons}$$

**STEP 4** - Multiply the numbers of people who aren't accessible to the open space to derive the minimum quantity standard provision for the site i.e.

$$192.4 \times 15 \text{ sq.m} = \mathbf{2886 \text{sq.m}}$$

**STEP 5** – Those properties who are accessible still have to pay a financial contribution to enhance the green network. This would be £450 per person (p34) i.e.  $31.2 \times £450 = \mathbf{£14,040}$

The site would have to provide 2886sq.m of open space (including an equipped play area) and make a financial contribution of £14,040. Page 123 of 152

## Looking at Quality Standards —Worked Example 6

A residential development of 45 flats is proposed, a mix of 30 two-bed and 15 one-bed flats. Applying the accessibility standard, it is located close to an existing park and the canal. What would the developer be required to provide using the GNSG?

**STEP 1** - The proposal is for more than ten units so the first step is to see if it meets the accessibility standard i.e. is it within 250m of a 0.2ha amenity greenspace, play space or natural/semi-natural greenspace? The site is within 250m of a park. The site has less than 50 units so an equipped play park is not expected on the site. The quality of that park needs to be assessed using the quality standard.

**STEP 2** – the most recent Audit carried out for this site shows that there are a number of concerns about the play equipment, surfacing and path connections. Using the scoring the play area is below the 40% threshold and requires investment.

**STEP 3** – A financial contribution is required based on the site population. Work out the number of bedrooms and apply the average household size figures using Table 3.

Unit Type	Numbers of Units	Factor	Persons
1 bed	15	1.3	$15 \times 1.3 = 19.5$
2 bed	30	1.9	$30 \times 1.9 = 57$
<b>TOTAL</b>	<b>104</b>		<b>76.5 persons</b>

**STEP 4** – Add last column to get projected population and multiply this figure by the minimum quantity standard i.e.

$$76.5 \times 15 \text{ sq.m} = 1147.5 \text{ sq.m}$$

This is the amount of open space to be provided.

**STEP 5**– Multiply the open space provision by the financial contribution rate of £30 per sq.m i.e.

$$1147.5 \text{ sq.m} \times £30 = \text{£ } 34,425$$

For this site a financial contribution of £ 34,425 is required to help upgrade the park.

All new housing developments should provide/access 1.5ha of publicly useable space per 1000 people

Everyone will live within a 250m walk of a 0.2ha usable amenity greenspace", "play space" or "natural/semi-natural greenspaces

All publicly usable open spaces should meet or exceed the threshold score set out in Table 2.

**WEST DUNBARTONSHIRE COUNCIL  
OPEN SPACE ASSESSMENT AND AUDIT**

## Appendix 3: Play area assessment sheet

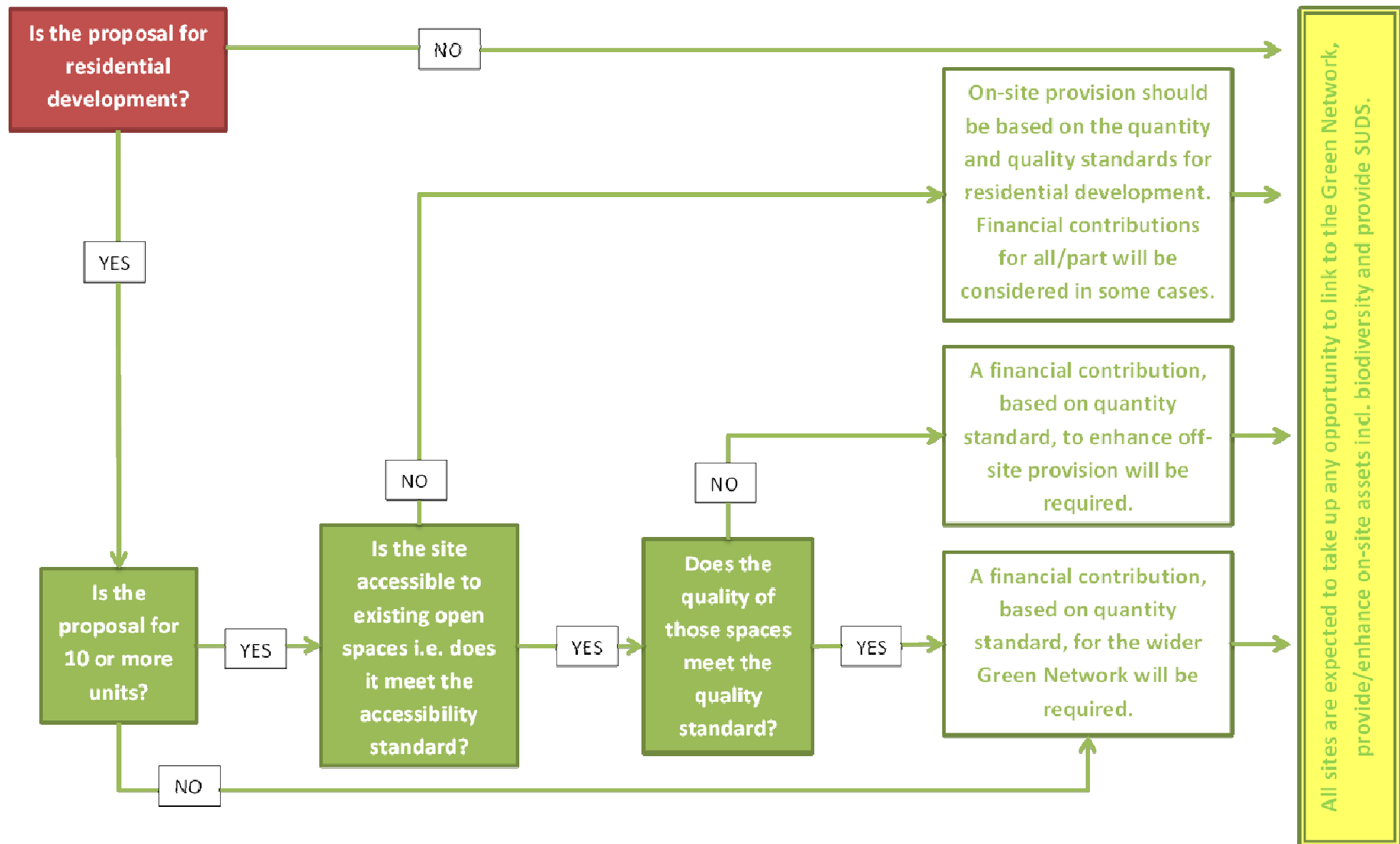
PLAY AREA SITE ASSESSMENT						KOP ref:
Name of site						
Road name						
Land owner						
Date		Time		Weather		
Equipped Play Area <input type="checkbox"/> Casual play <input type="checkbox"/> Youth provision <input type="checkbox"/> <b>Tick ONE ONLY</b>						
<b>Physical access</b>		(Tick if present)	<b>Access - social</b>		(Tick if present)	
Public transport halts/stops			Minimum entrance widths of 1.5m (to allow for wheelchair access)			
Safe crossing places			Directional signposts			
<b>Security (tick)</b>		<b>Site Location (tick)</b>			<b>Zoning (please tick accordingly)</b>	
Fencing	Pedlocks	Stand-alone	Park	Rec Ground	Youth	Child
					Toddler	
<b>EQUIPPED PLAY AREA DETAILS</b>						
Complete details for each UNIT of equipment						
<b>Equipment type</b>	<b>Number</b>	<b>Surface type</b>		<b>Barriers / Constraints comments</b>		
<b>Equipment type list:</b>		<b>Surface type list:</b>				
Toddler swings, Junior swings, Nest swing, Pendulum swing, Slide, Aerial Runway, Agility area, Balancing bar, Climbing unit, Commando run, Multi-play, Roundabout, See-saw, Static Play Equipment, Talk Tubes, Trains & Carriages, Rocking rockhorse, Springy, Wobbleles, Dizzy Disc, Wobble board, Spider web climber, Rota web climber, Play panel, Tumble panel, Play tunnel, Monkey bars, Spectator tower, curved climber, Tiered seating, Climbing wall, Hang glider, Other (specify)		Birk, Grass, Safety Tiles, Sand, Tarmac, Tiles, Wetpoor, Other (specify)				

**WEST DUNBARTONSHIRE COUNCIL  
OPEN SPACE ASSESSMENT AND AUDIT**

CASUAL PLAY AREA DETAILS				
Play area type		Surface type	Barriers / Constraints / Comments	
<b>Play area type list:</b>		<b>Surface type list:</b>		
Basketball, five a side area, football area, Youth Shelter, Games Wall		Grass, Safety Tilt, Sand, Tarmac, Tiles, Wetpore, Astro Turf, Other (specify)		
<b>YOUTH PROVISION DETAILS</b>				
Play area type		Surface type	Comments	
Shale park				
BMX track				
<b>Entrances</b>				
Entrance does not open onto safe/busy areas and no natural surveillance from public spaces, roads, footpaths		Entrance opens onto reasonably safe/busy area with some natural surveillance from public spaces, roads and footpaths	Entrance opens onto safe/busy area with natural surveillance from public spaces, roads, footpaths	
1	2	3	4	5
<b>Boundary fencing</b>			Yes	No
Is boundary fencing installed around the play area?				
If No, would it be of benefit/appropriate to the site?				
<b>Adequacy</b>				
Noticeable gaps that require attention. Poor quality		Adequate fencing but could be improved. Variable quality	Appropriate fencing for the site. No improvements required. Good condition.	
1	2	3	4	5
<b>Controls to prevent illegal use</b>			Yes	No
Are there any controls to prevent illegal use installed within the play area?				
If No, would it be of benefit/appropriate to the site?				
<b>Adequacy</b>				
Some controls, but some noticeable gaps		Adequate number of controls but could be improved.	Appropriate number and location of controls. No improvements required.	
1	2	3	4	5
<b>Personal security</b>				
Not overlooked	Overlooked by other land use	Overlooked by housing on one side	Overlooked by housing on most sides	Overlooked by housing on every side
1	2	3	4	5
<b>Gradient and value</b>				
Steep slope (whole site)	Steep sloped areas	Some irregular land	Gentle slopes	Flat (whole site)
1	2	3	4	5
<b>Parking</b>			Yes	No
Is specific car parking available for the site?				
Is there parking for disabled users?				
If No, would it be of benefit/appropriate to the site?				
<b>Number and location</b>				
Inadequately meets the needs of the site in terms of size and type.		Reasonable number of spaces but may be at capacity during peak times.	Adequately meets the needs of the site in terms of size and type.	
1	2	3	4	5
<b>Appropriateness of provision</b>				
Car park is poorly located (e.g., for disadvantaged users) and is inappropriate (i.e. is too big or		Reasonably appropriate for the size, type and usage of the site.	Car park is well located and appropriate for the size, type and usage of the site.	
1	2	3	4	5



Fig.3 Sample of open space assessment sheet from Appendix 3, Open Space Assessment and Audit 2011

## Appendix 2—Developer's Flow Chart



## Appendix 3—Assessment Sheet for GI Function

## Assessment Sheet for GI Function

Functions of green infrastructure		New green infrastructure proposed through this development provides:		
		Major provision	Some provision	No provision
Active travel routes				
Opportunities for play				
Biodiversity				
Sport and recreation				
Landscape setting				
Drainage and flood alleviation				
Community focus				
Food production				
Enterprise opportunities				

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**SG02 Our Green Network**  
**March 2015**

Page 131 of 152

**WEST DUNBARTONSHIRE COUNCIL****Report by the Executive Director of Infrastructure and Regeneration****Planning Committee: 29 April 2015**

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**Subject: Review of Fees for High Hedges Applications****1. Purpose**

- 1.1** To review the fees for high hedges applications one year on from their introduction.

**2. Recommendations**

- 2.1** To continue the high hedges application fee at a rate of £404, (i.e. twice the fee for a householder planning application) and to introduce a 50% refund of the fee in cases where:
- a)** The application is dismissed under Section 5 of the Act as the applicant has not taken all reasonable steps to resolve the situation, or where the authority considers the application to be frivolous or vexatious;
  - b)** The application is dismissed on the basis that the hedge does not satisfy the legal definition of a “High Hedge” as set out in the Act; or
  - c)** The applicant withdraws the application prior to determination as a result of works carried out by the hedge owner which resolves the matter

**3. Background**

- 3.1** The High Hedges (Scotland) Act 2013 came into effect on 1 April 2014, and introduced a procedure whereby people aggrieved by a neighbour’s hedge can apply to the Council for a High Hedge Notice.
- 3.2** Whereas most planning application fees are set nationally by the Scottish Government, the fees for high hedge applications were left to the discretion of individual local authorities, subject to a requirement that the fees should seek to cover the cost of administering such applications. The legislation was intended to be “cost neutral” to local authorities, being neither a financial burden nor a source of excess revenue.
- 3.3** The arrangements for administering high hedges applications within this Council were agreed by the Planning Committee on 26 March 2014, and a copy of the report is included in Appendix 1. The Committee agreed to set the fee for a high hedge application at double the rate for a householder planning application. This was £384 at the time (but has since risen to £404 following a national increase in planning fees).

- 3.4** In agreeing the application fee, the Committee requested that that the level of the fee be reviewed after one year and a report on the matter brought back to the Planning Committee for consideration.

#### **4. Main Issues**

##### Number of Applications

- 4.1** In practice, the Council has not received any applications for high hedges notices. The number of enquiries about high hedge notices from prospective applicants has also been relatively low (less than ten). This is consistent with the experiences of most other Scottish planning authorities, as the number of applications has generally not been high. A survey undertaken by South Ayrshire Council (copied with permission as Appendix 2) revealed that of the 25 councils which responded only 2 had received more than 8 high hedge applications, whilst 5 councils (including West Dunbartonshire) had not received any high hedge applications.
- 4.2** This low level of applications was broadly in line with expectations prior to the High Hedges (Scotland) Act 2013 coming into effect. The legislation was intended as a remedy for only the most serious hedge disputes, and it was never expected that there would be a large number of cases. It was however assumed that there would be an elevated number of applications during the first year of the legislation, due to a pent up demand for resolution of longstanding disputes, but in this Council at least that has not materialised.
- 4.3** The reasons for the low number of applications may be due to three principal reasons:
- the number of serious hedge disputes is actually fairly limited;
  - the requirement for applicants to demonstrate they have taken all reasonable steps to resolve the matter before applying may discourage some applicants, or delay their submission of applications; and
  - prospective applicants unwilling to pay an application fee or put off by the level of the fee

##### Factors for Consideration in Setting Fee Levels

- 4.4** In reviewing the level of the fee, it is relevant to consider four issues:
- a) Whether the fee adequately covers the cost of delivering the service;
  - b) Whether the fee is comparable with that charged by other authorities;
  - c) Whether the fee is at a reasonable level for legitimate applications whilst discouraging frivolous/vexatious ones; and
  - d) Whether the current flat rate fee can be “fine-tuned” to better reflect different application circumstances

##### Cost of Service

- 4.5** In the absence of any applications in the last year, it is difficult to draw any conclusions as to whether the fee would adequately cover the cost of the service. However, the South Ayrshire survey demonstrates that a high

proportion of such applications do involve an appeal against the decision, which further increases the workload involved. This was in line with expectations, and the reason that this Council set the fee at double the householder planning application fee was on the basis that most high hedges applications would result in an appeal of some sort. Therefore, it is considered that the current fee of £404 remains appropriate in terms of allowing the service to be provided on a cost neutral basis.

#### Fees Charged by Other Authorities

- 4.6** The South Ayrshire survey revealed that the level of high hedge application fee is generally fairly constant across Scotland. Of the 25 councils responding, 17 charge fees in the range £382-£404, whilst 4 charge lower and 4 higher fees (in the range £202-£500). Almost half of authorities (11) also charge an additional fee for pre-application site visits. No council deals with high hedges applications for free, although some offer discounts or refunds in certain circumstances and this is discussed in paragraphs 4.8 - 4.10 below. The £404 fee charged by this Council (with no charge for site visits) is therefore in line with the national average.

#### Affordability of Fees

- 4.7** Clearly, the higher the fee is set, the more likely it is to discourage people from submitting an application. Some prospective applicants will be unable to afford the fee, whilst others who can afford it may resent having to pay a fee over a dispute for which they blame the hedge owner. However, the High Hedges (Scotland) Act 2013 was intended to be cost-neutral to local authorities, and the Act makes no provision for any of the administrative costs to be charged to the hedge owners. Were the current fee of £404 to be removed or reduced significantly, the cost of administering these applications would have to be met from other Council budgets at a time when these are under severe pressure. Furthermore, it is also likely that removing or reducing the fee would encourage some frivolous or vexatious applications, leading to an unfunded increase in the workload of the Planning Service and drawing resources away from more important casework. Therefore, it is considered that lowering the level of the flat fee would not be an appropriate at this time.

#### Concessionary Fees and Refunds

- 4.8** The Act does give local authorities discretion to offer concessionary fees or refunds in circumstances of their choosing. The South Ayrshire survey revealed that few authorities currently offer concessionary fees (only 2 of the 25 surveyed). It is not considered that there is any clear objective basis for introducing discounts. For example, it would be difficult to justify offering a discount for senior citizens or disabled people, unless it could be demonstrated that these applicants were more likely to have neighbours with high hedges or were being disproportionately disadvantaged by the fee. Introducing discounts for some groups may also give rise to seemingly unfair anomalous situations (for example, prosperous elderly applicants receiving a discount whilst a less well-off working family did not). It is therefore not recommended that any concessionary fee be introduced.

**4.9** However, the majority of local authorities (19 of the 25 surveyed) do offer refunds of all or part of the fee in certain circumstances. Typically, refunds are offered in the following circumstances:

- i. Dismissal under Section 5 of the Act, where the applicant has not taken all reasonable steps to resolve the situation, or where the authority considers the application to be frivolous or vexatious;
- ii. Dismissal on the basis that the hedge does not satisfy the legal definition of a “High Hedge” as set out in the Act; or
- iii. Hedge owner resolves matter by carrying out work to the hedge after being notified of the high hedge notice prior to any decision being reached;

Once the application is determined (i.e. the authority either issues a High Hedge Notice or decides not to do so), there is a right of appeal which will involve additional workload for the authority, and no authorities offer refunds after this point.

**4.10** At present West Dunbartonshire Council does not offer any refund of fees, however it is considered that it would be reasonable to introduce a 50% refund of fees in the three circumstances listed above. This would reduce the amount of money which applicants would have to pay in situations where they had not satisfied the legal requirements for making an application, or where the hedge owner took action to resolve the matter after being notified of the application but prior to its determination.

## **5. People Implications**

**5.1** No personnel issues.

## **6. Financial Implications**

**6.1** The administration of the High Hedges (Scotland) Act 2013 is intended to be cost-neutral for the Council. The reduction of the application fee level or the introduction of significant concessionary fees would reduce revenue whilst giving rise to additional workload for the Planning Service, and would therefore divert resources from other caseload. The proposed introduction of refunds in certain limited circumstances would result in a small reduction of fee income, but would help to make fees more proportionate to application circumstances.

## **7. Risk Analysis**

**7.1** No risks have been identified.

## **8. Equalities Impact Assessment (EqIA)**

**8.1** An EqlA Screening has been undertaken, and it is considered that the issue does not raise any equality issues.

**9. Consultation**

**9.1** None

**10. Strategic Assessment**

**10.1** No strategic issues.

**Richard Cairns**

Executive Director of Infrastructure and Regeneration

Date: 14 April 2015

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**Person to Contact:**

**Appendices:**

1. Report to Planning Committee dated 26/3/14
2. Results of survey undertaken by South Ayrshire Council (used with permission)

**Background Papers:** None

**Wards Affected:** All wards



**WEST DUNBARTONSHIRE COUNCIL****Report by the Executive Director of Infrastructure and Regeneration****Planning Committee: 26 March 2014**

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**Subject: Implementation of High Hedges (Scotland) Act 2013****1. Purpose**

- 1.1** To inform the Committee of the implications of the High Hedges (Scotland) Act 2013, to seek delegated authority to the Planning and Building Standards Manager to consider and determine applications and exercise enforcement powers under the Act, and to approve the fee charged for the submission of such applications.

**2. Recommendations**

- 2.1** That the Committee notes the impending implementation of the High Hedges (Scotland) Act 2013, and agrees that:
- (a) the proposed change to the scheme of delegation is appropriate for referral to Council;
  - (b) the fee for a high hedge application shall be £384 and shall thereafter rise in line with any future increases in planning application fees;
  - (c) the Planning and Building Standards Manager is authorised to prepare guidance notes and application forms for high hedges applications.

**3. Background**

- 3.1** The High Hedges (Scotland) Act 2013 received Royal Assent on 2 May 2013, but a date of commencement was not announced until 28 February 2014. The Scottish Government has now announced that the Act will come into effect on 1 April 2014, and has issued guidance to local authorities on the administration of the Act.
- 3.2** The Act defines a “high hedge” as any row of two or more trees or shrubs which rise to a height of more than 2m above ground level and which form a barrier to light. Where the owner or occupier of a domestic property considers that a high hedge on neighbouring land is having an adverse effect upon the reasonable enjoyment of their domestic property they may apply to the Council for a High Hedge Notice. The fee for such applications is at the Council’s discretion, but is intended to cover the cost of dealing with such applications.
- 3.3** Applications to the Council under the High Hedges Act are intended to be a last resort, and the legislation specifies that applications will not be entertained unless the applicant demonstrates that they have already taken “all reasonable steps” to resolve the dispute with the hedge owner. It will not

be sufficient for applicants to simply claim that their neighbour is unapproachable. The Council may also decline to determine an application if it is considered to be frivolous or vexatious, such as repeated unsuccessful applications relating to the same hedge.

- 3.4** In dealing with applications, the Council is required to notify interested parties and to allow 28 days for representations. The Council must consider all relevant circumstances of the case including loss of light to neighbours, representations from the owner and the effect of the hedge on the amenity of the area. It should be noted that consideration of the impact upon the amenity of neighbours is limited to impacts arising from the loss of light caused by the hedge, such as effect on enjoyment of property. It does not cover other impacts unrelated to loss of light, such as leaf fall or maintenance costs. The Act also does not relate to disputes about overhanging branches, which are a private legal matter between owners.
- 3.5** Where it is considered expedient, the Council may issue a High Hedge Notice requiring the owner of the hedge to carry out works to the hedge. The hedge owner has a right of appeal to the Scottish Ministers against the issuing of a High Hedge Notice, whilst the applicant has a right to appeal against a decision by the Council not to issue such a notice. In the event of non-compliance with a High Hedge Notice the Council has the power to undertake the necessary work and to recover the costs from the hedge owner.
- 3.6** The High Hedges Act confers its powers upon the “local authority” rather than to a specific statutory function thereof (such as the “planning authority”), but it is understood that most local authorities are likely to allocate these responsibilities to their planning services. It is intended that responsibility within this Council would lie with the Development Management team within Planning and Building Standards Service. The fact that the Act refers to the local authority rather than the planning authority gives rise to an anomalous situation within that part of West Dunbartonshire which lies within the Loch Lomond and the Trossachs National Park, as the Council’s planning service currently has no remit over that area but will become responsible for administering the high hedges legislation within it. However, the legislation requires that the National Park Authority be consulted on any high hedge applications within their area.

#### **4. Main Issues**

##### Delegated Powers

- 4.1** Whilst applications under the High Hedges (Scotland) Act 2013 are by their very nature likely to involve disputes between neighbours, it is very unlikely that such applications will raise issues of wider local interest or of strategic significance. It is therefore recommended that delegated powers be granted to the Planning and Building Standards Manager to determine all application submitted under the High Hedges (Scotland) Act 2013, subject to the same limitations as apply for other types of non-local application covered in the existing Scheme of Delegation.

- 4.2** As high hedges applications are a new provision it is necessary to amend the Council's recently approved scheme of delegation to allow officers to determine them, which would require to be approved by the Full Council. The suggested amendments are shown in Appendix 1. As the proposed changes do not relate to applications covered by Section 43A of the Town and Country Planning (Scotland) Act 1997 it would not be necessary to obtain approval of these amendments from the Scottish Ministers.

#### Application Fees

- 4.3** The Act gives local authorities discretion to charge a fee for administering high hedge applications, but it does not specify the level of the fee. Instead, it requires that fees should aim to cover the reasonable costs that are incurred in considering the application. Overall, the legislation was intended to be cost-neutral for local authorities and not to be either a source of excess revenue or an additional financial burden. In practice the Council is free to set lower fees should it wish to do so, but this would result in a financial shortfall at a time when the Council is under severe budgetary pressure. It is therefore recommended that application fees should be set at a level which corresponds with estimated costs.
- 4.4** It is difficult to estimate in advance how much a typical high hedge application is likely to cost to administer, but as such applications will only arise in situations where there is an ongoing neighbour dispute and all parties will have a right of appeal, it is reasonable to assume that most applications will attract objections and will result in an appeal against the decision. Similar legislation has been in force elsewhere in the UK for several years, and there is considerable variation in the level of fees charged by different authorities. It is understood that over £300 is typical in England and Wales (with some authorities charging significantly more), and that most authorities in Northern Ireland charge £380. Within Scotland, few local authorities have published their fees to date, but a survey of anticipated fee levels was carried out by the Heads of Planning Scotland group. Of the authorities responding, expected fee levels ranged from £192 to £560, with the average being approximately £408.
- 4.5** It is therefore considered that a reasonable fee would be double that of a householder planning application (i.e. a fee of £384 at current rates). This would be a level which would be likely to cover costs and which would be consistent with the approach proposed by a number of other planning authorities. Linking the fee to that of a householder planning application would allow it to rise in line with future increases in planning fees set by the Scottish Government.
- 4.6** The legislation also contains a provision which allows local authorities to refund fees (or partial fees) at their discretion, in circumstances decided upon and published by the authority. The Scottish Government has not provided any guidance on how this should be applied, but it is understood that it was envisaged that a refund might be offered if the matter was resolved prior to determination (e.g. by the owner voluntarily trimming the hedge). In other parts of the UK it is common for part of the fee to be refunded to applicants if

their application is “upheld” (i.e. a High Hedge Notice is issued). However in Scotland the new powers are intended to be cost neutral, and if a refund is offered in some cases this would mean that the basic fee level would have to be raised to offset the cost of refunds. It is understood that few if any other Scottish local authorities are proposing to refund fees. It is therefore recommended that no arrangement for refunding fees be put in place at this time. The matter could be reviewed in the future if practical experience of the new legislation suggested that changes were desirable.

#### Next Steps

- 4.7** It will be necessary to provide guidance on the new legislation for both the public and members of staff, along with an application form, both of which would be made available on the Council’s website. This had not been prepared at the time of writing, and it is recommended that the production of these documents should be delegated to the Planning and Building Standards Manager.

### **5. People Implications**

- 5.1** High hedges applications will form an addition to the workload of the Planning and Building Standards section. It is anticipated that once the legislation comes into effect, there will be a modest number of applications reflecting an existing pent-up demand for resolution of longstanding hedge disputes, but that once this initial rush passes the number of high hedge applications is unlikely to exceed one or two per year. Such a level of additional workload could be absorbed without any need for additional staffing.

### **6. Financial Implications**

- 6.1** It is unlikely that the number of applications will be significant and it is anticipated that the proposed fee would be sufficient to cover the cost of providing the service.

### **7. Risk Analysis**

- 7.1** No risks have been identified.

### **8. Equalities Impact Assessment (EIA)**

- 8.1** No equalities impact assessment is required.

### **9. Consultation**

- 9.1** The Scottish Government carried out a consultation on the issue in 2009, and the High Hedges (Scotland) Act 2013 was informed by the responses to that consultation.

### **10. Strategic Assessment**

**10.1** The high hedges legislation is intended to provide a means of resolving hedge disputes which impact upon the amenity of residents. This would contribute towards the following Council strategic priority:

- Improve the well-being of communities and protect the welfare of vulnerable people.

**Richard Cairns**

Executive Director of Infrastructure and Regeneration

Date: 11 March 2014

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager, Housing, Environmental and Economic Development, Council Offices, Clydebank. G81 1TG.  
01389 738656  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendices:** 1. Planning Authority Scheme of Delegation showing proposed amendments

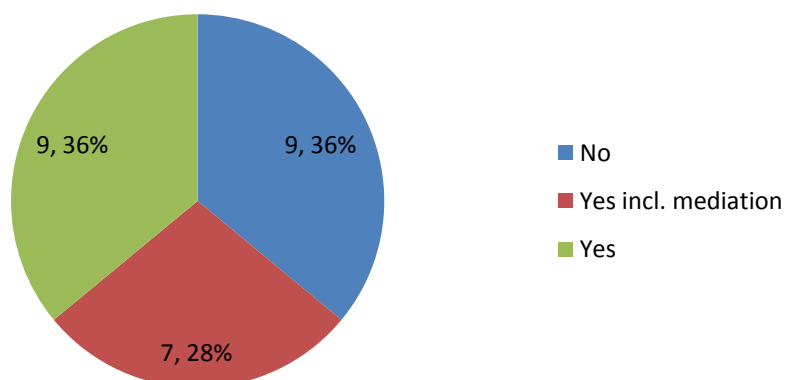
**Background Papers:** None

**Wards Affected:** All Wards

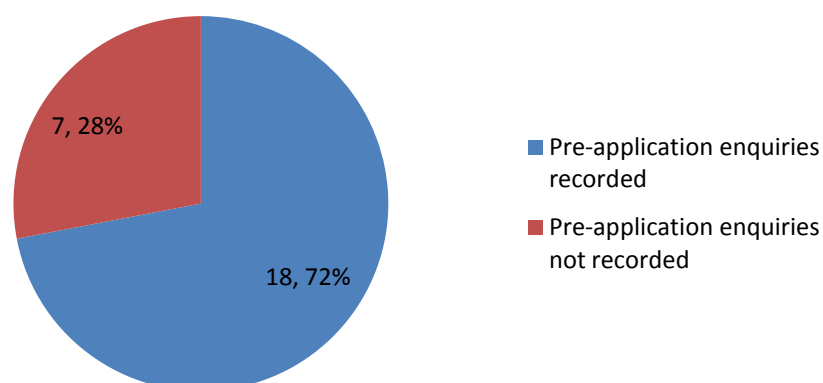


South Ayrshire Council High Hedges (Scotland) Act 2013 Comparative Research  
(date compiled: 11<sup>th</sup> March 2015)

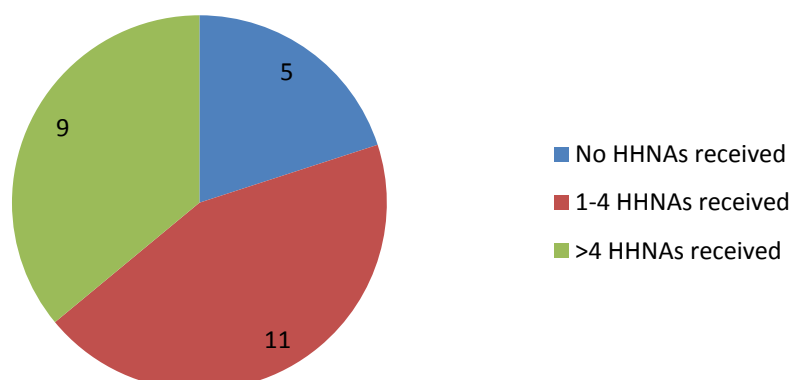
### Q1: Reasonable steps specified



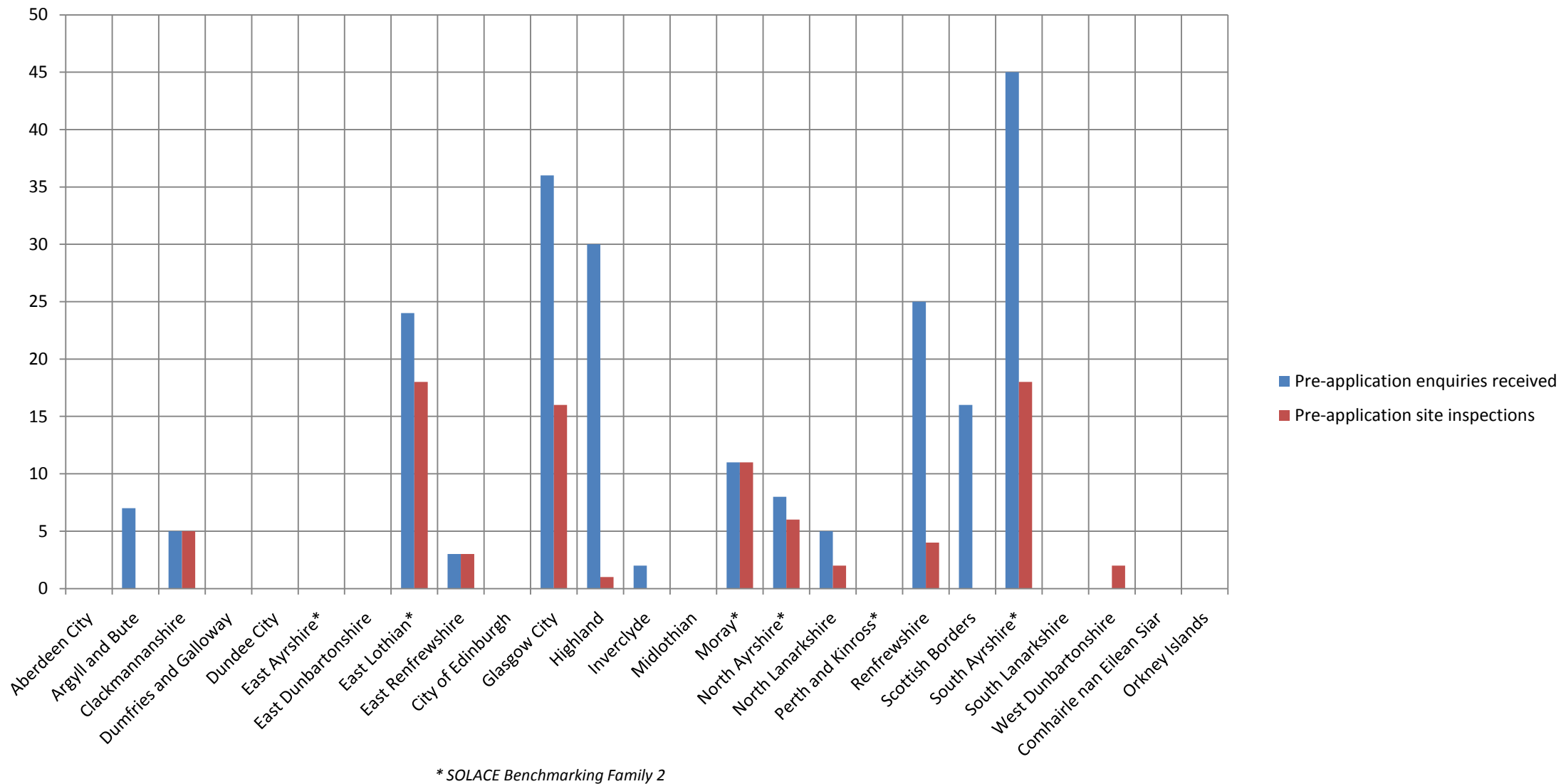
### Q2: Pre-application enquiry recording



### Q3: HHNAs received

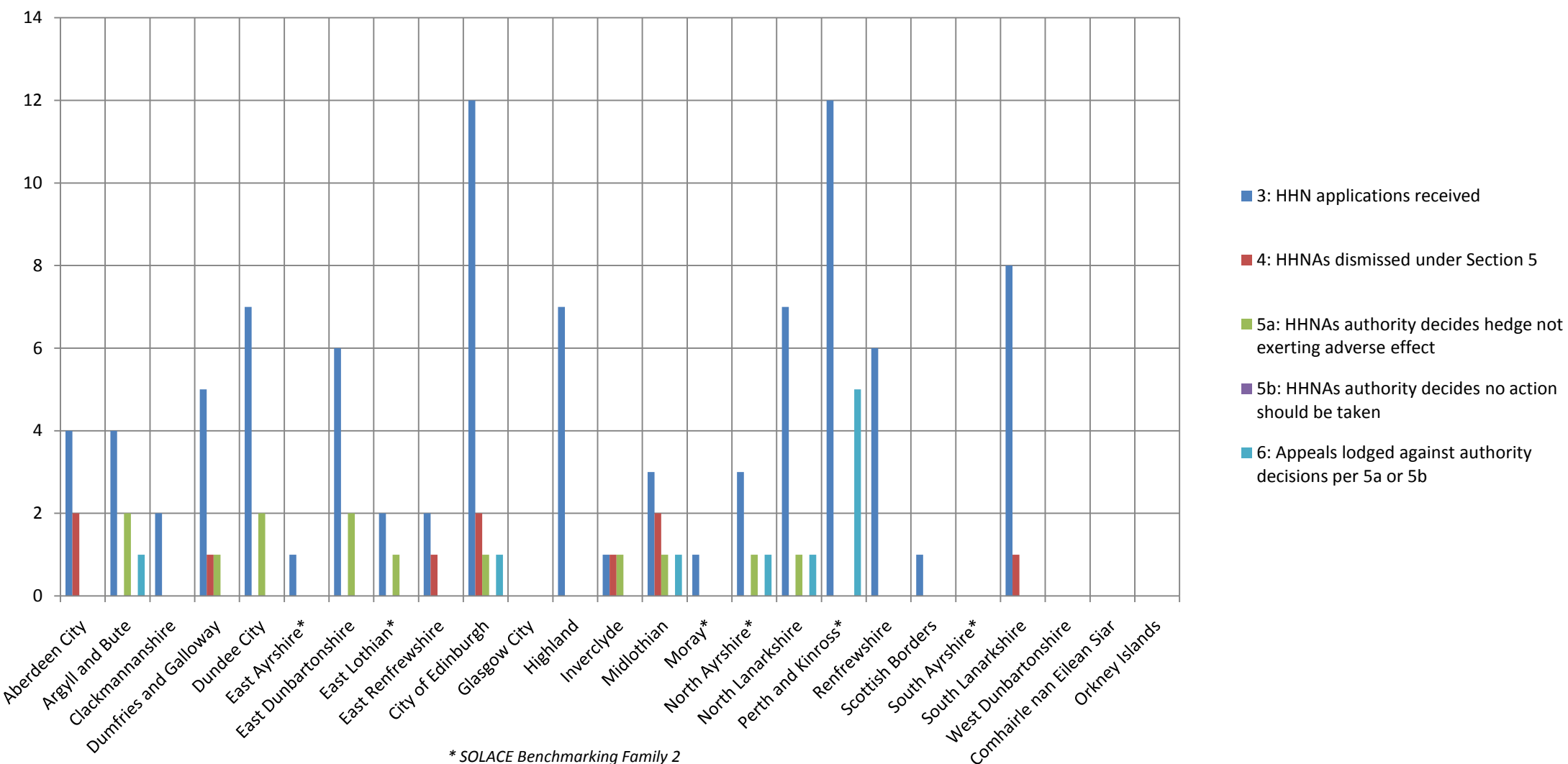


## Q2: Pre-application enquiries

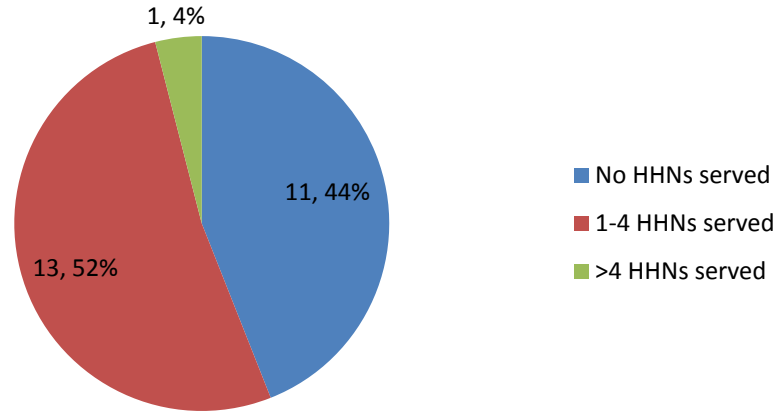




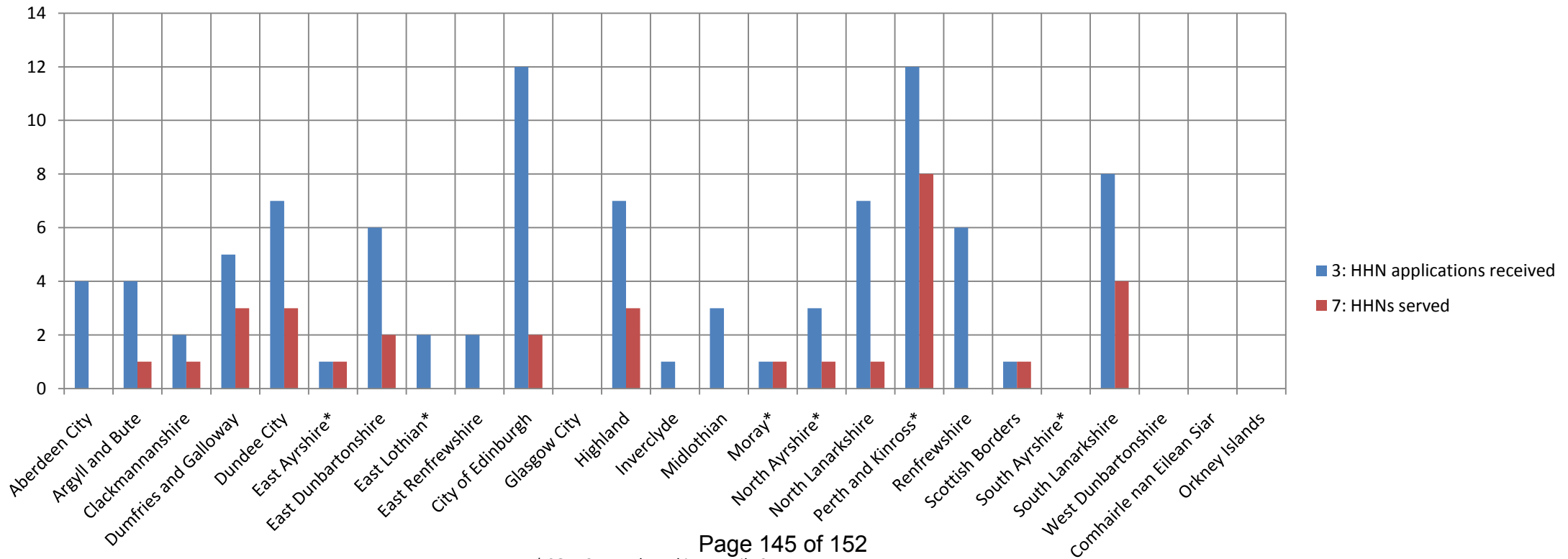
### Q3-6: HHNAs received; dismissed; appealed against no HHN served



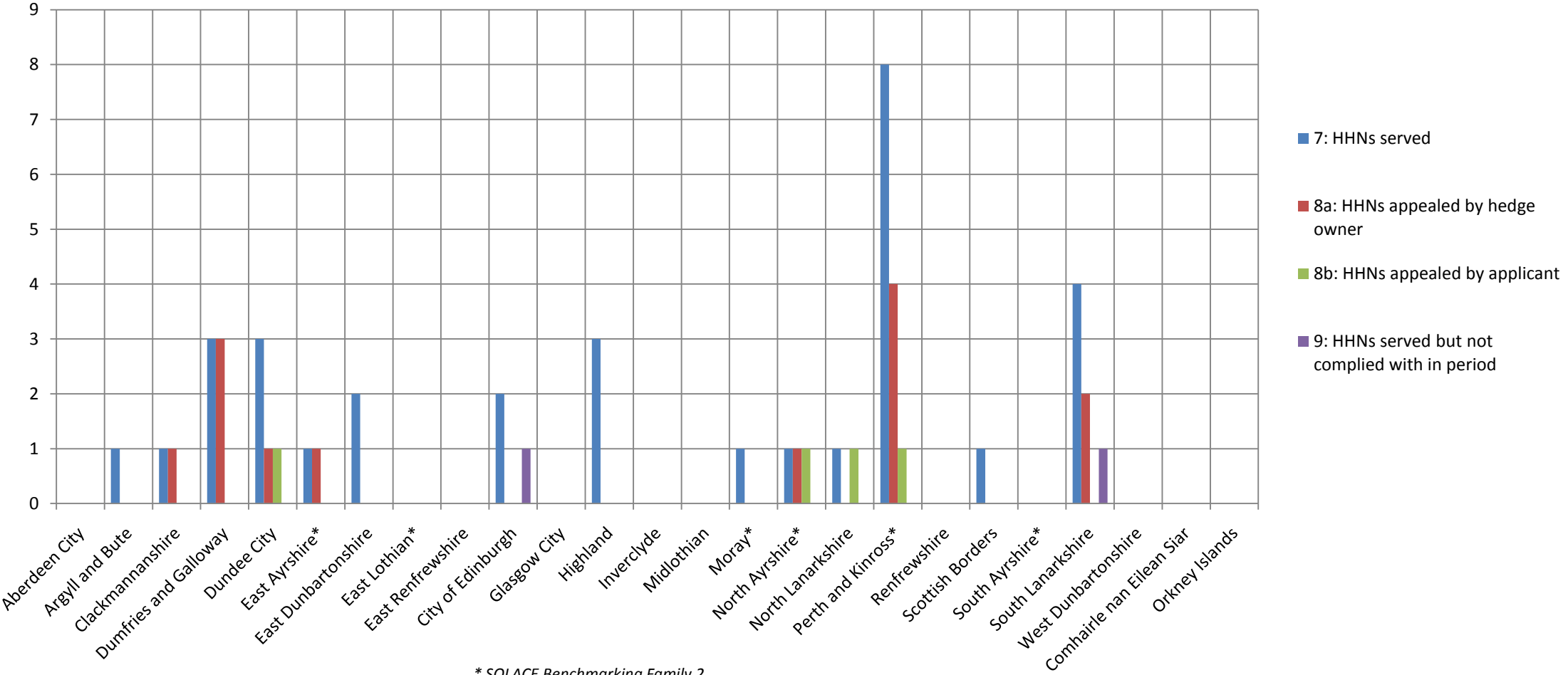
## Q7: HHNs served



## Q3&7: HHNAs received and HHNs served



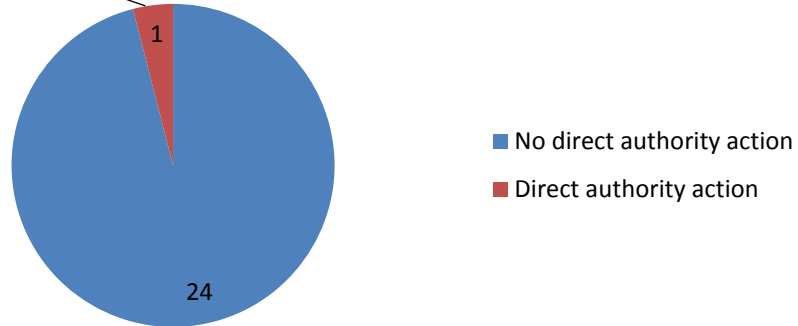
Q7-9: HHNs served and appealed



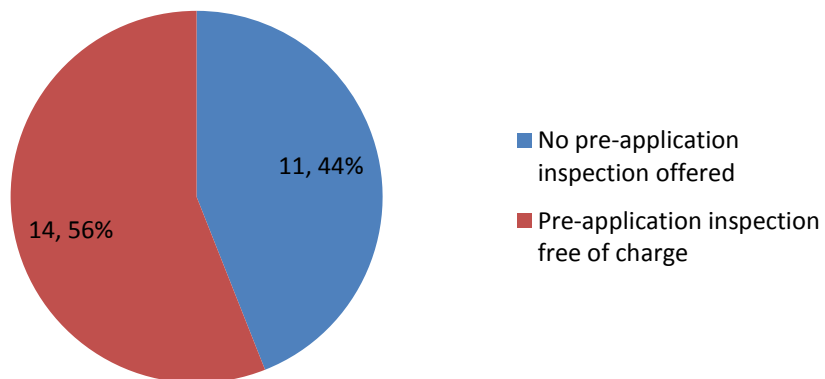
\* SOLACE Benchmarking Family 2

### Q10: Direct authority action to comply with HHN

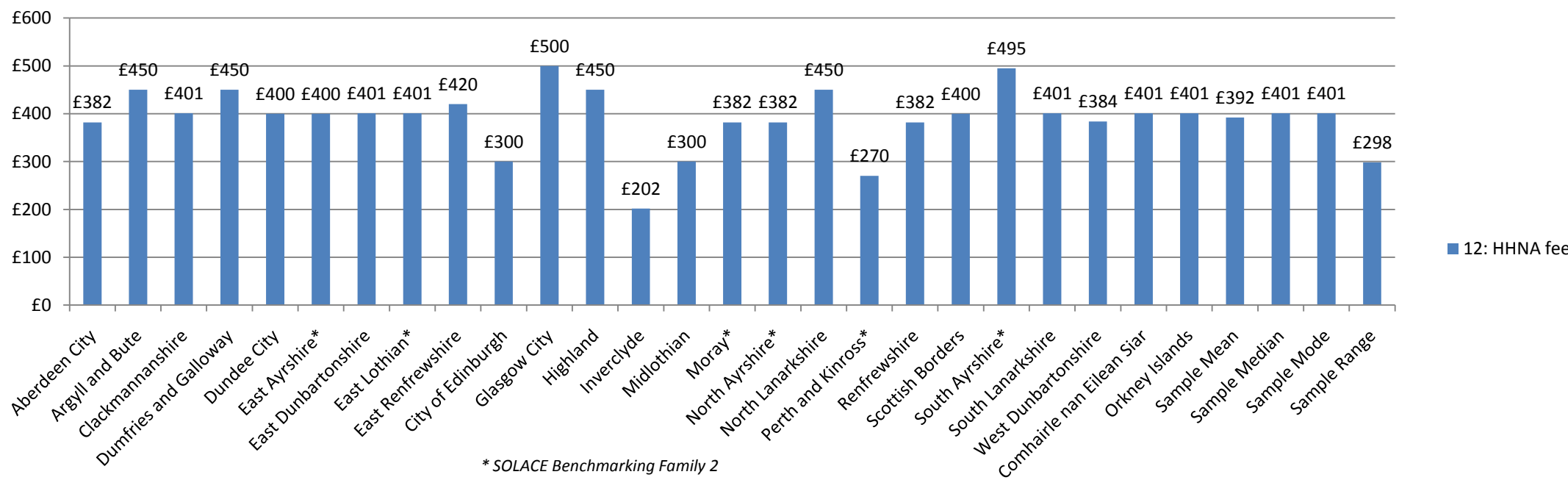
Edinburgh City Council:  
£433



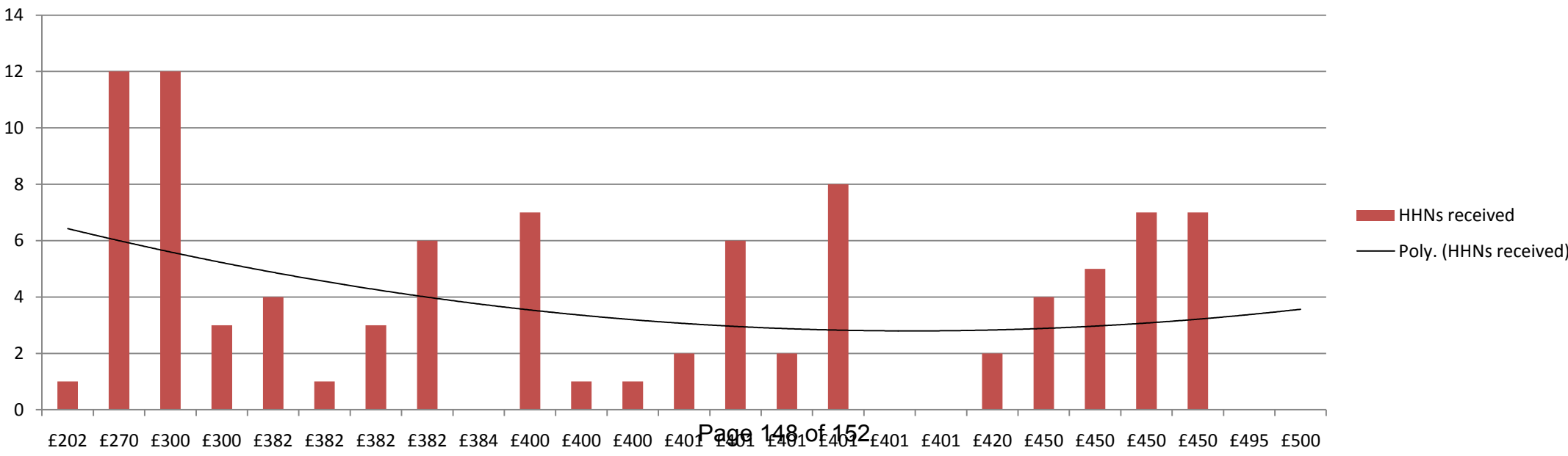
### Q11: Pre-application inspection fee



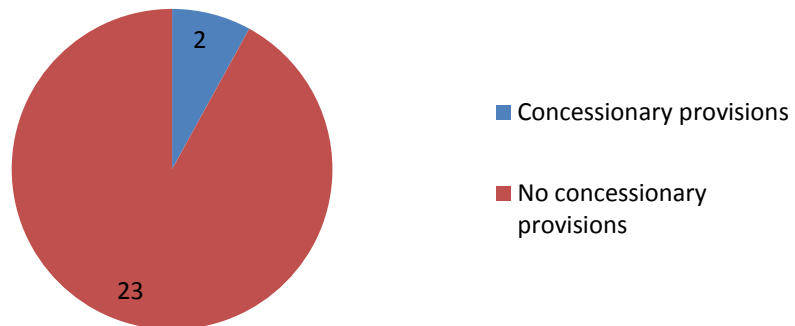
### Q12: HHNA fee



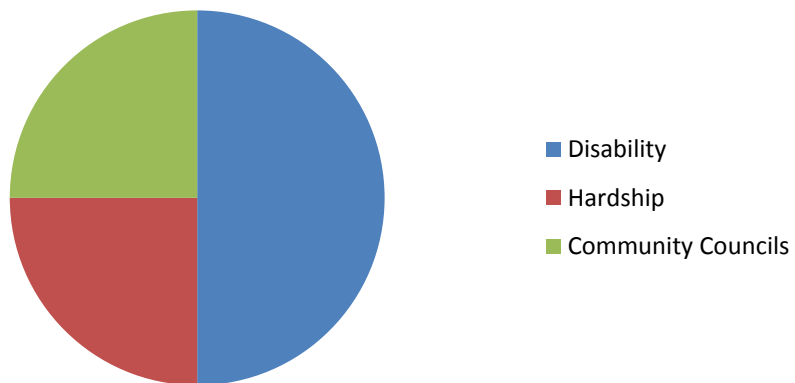
### HHNs received against ascending authority fees



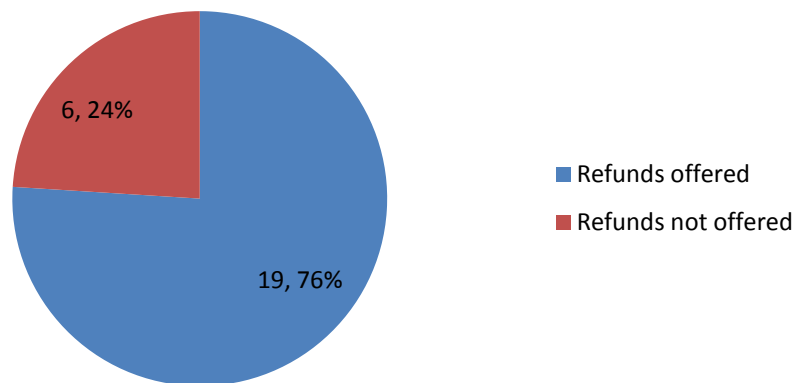
### Q13: Concessionary fee provisions offered



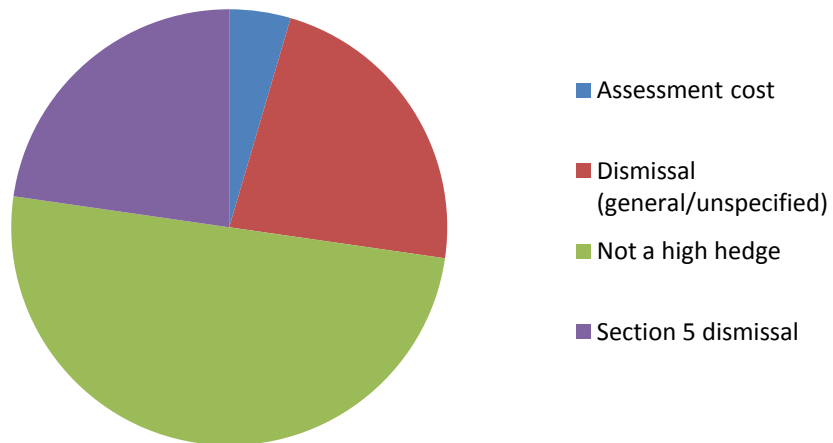
### Q13: Concessionary fee provision criteria



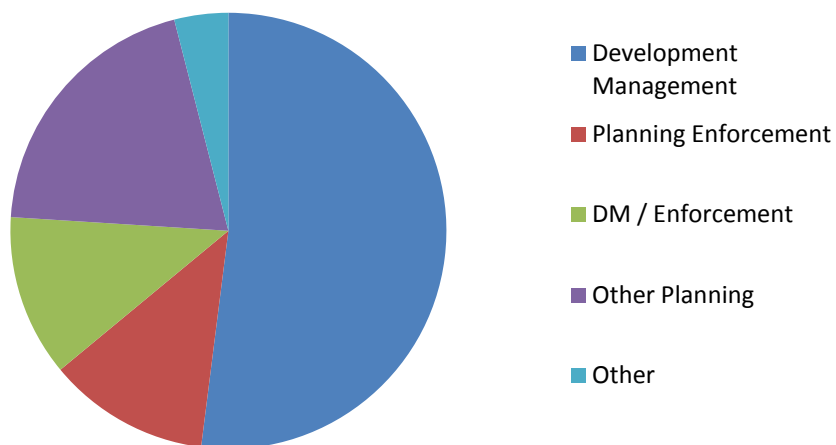
### Q14: Refunds offered



### Q14: Refund criteria



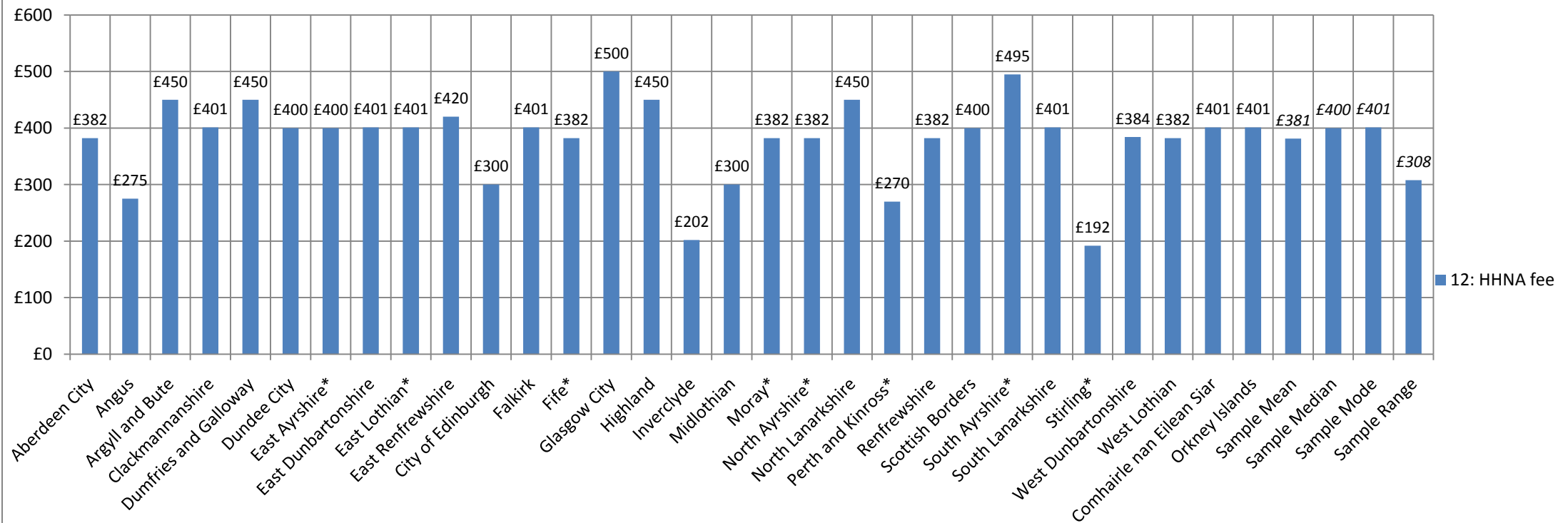
### Q15: Authority Team Responsible





South Ayrshire Council High Hedges (Scotland) Act 2013 Comparative Research  
(date compiled: 13<sup>th</sup> March 2015)

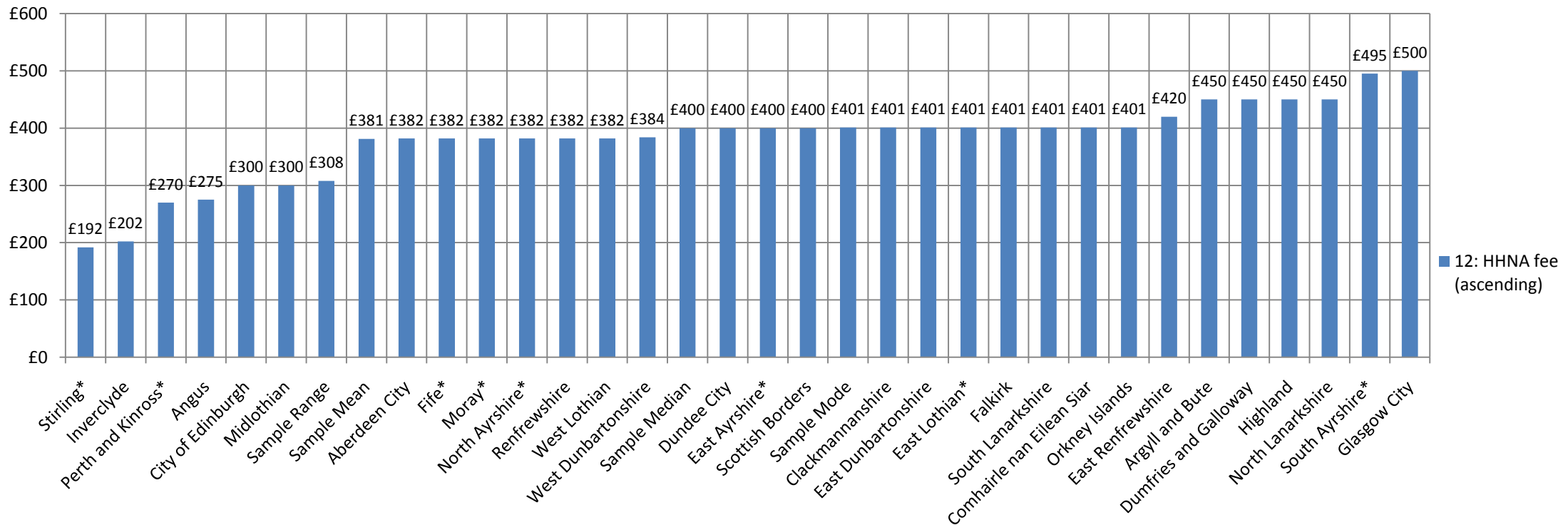
**12: HHNA fee**



NB. This set includes non-responding authorities using fees published on their websites at time of survey (Feb 2015).  
Aberdeenshire and Shetland Islands remain excluded on account of neither response nor fee information on website.

\* SOLACE Benchmarking Family 2

## 12: HHNA fee (ascending)



NB. This set includes non-responding authorities using fees published on their websites at time of survey (Feb 2015).  
Aberdeenshire and Shetland Islands remain excluded on account of neither response nor fee information on website.

\* SOLACE Benchmarking Family 2